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No. 1

A JOLT FOR THE PRODUCER PROPAGANDISTS

The producer propagandists, who made it a business to spread the rumor that the Government's suit against the major companies will never be tried, must have received the shock of their lives when they read the statement that was issued on the subject two weeks ago by Thurman Arnold, Assistant Attorney General, in charge of the anti-trust Division in the Department of Justice, after he had seen in the Scripps-Howard newspapers a story by Charles T. Lucey stating that the majors are trying to sabotage the suit. Said Mr. Arnold:

"Information has reached the Department of Justice that reports are being circulated in the motion picture industry that the equity action of the *United States vs. Paramount Pictures, Inc., et al.*, pending in the District Court for the Southern District of New York, will not go to trial.

"These reports are being circulated notwithstanding the fact that it was stipulated by counsel for the Government and the defendants that the case will proceed to trial May 1, 1940.

"Any such reports as are being circulated to the above effect are utterly without foundation. The Department fully expects that the case will go to trial on that date. All necessary steps for preparation are being taken.

"Through the pre-trial conferences, to be held commencing March 1, 1940, it is hoped that the length of the trial may be materially shortened."

The Lucey article said partly that the Government would never compromise on any proposed solution that fails to divorce the producing and distributing end of the business from the exhibiting end, and that the proposed Code does not meet the Government requirements as defined in the equity suit.

In spreading the rumor that the Government's equity suit will never be tried, the object of the producer propagandists was to discourage the exhibitors, particularly those who are witnesses for the Government. Mr. Arnold's statement, therefore, has had the effect of shattering the producer propaganda and of encouraging all exhibitors, who are looking forward to the elimination of block-booking and blind-selling, as well as the divorce of production-distribution from exhibition, as the only means by which the industry evils may be cured.

Those who are acquainted with Mr. Arnold know that he is not the type of person who can be swerved from his purpose either by false propaganda or by political pressure; he has made a close study of the motion picture industry and has satisfied himself that there are in it many evils that need correction. Consequently, he has determined to bring about the correction of these evils, by the present suit, if it can be accomplished, or by Federal legislation, if the reforms that the suit may effect are short of his goal.

Just before sending this editorial to press, I read in the trade papers a denial by the attorneys of the majors that any attempt has been made by the majors' side to sabotage the equity suit, blaming the Government's tactics for the delay of the trial. The filing of interrogatories by the Government is given as one of the causes. This, they said, necessitated the producer side serving on the Government counter-interrogatories, causing further delay.

The serving of interrogatories by both sides may have caused some delay, but that does not answer the Government's charge about the producer propaganda campaign to the effect that the suit will never go to trial. The spreading of such propaganda is a fact; I have had a reaction of it myself. It is this that Mr. Arnold hit at through his statement, and not at the delay.

MISINFORMATION ON THE NEELY BILL

The Pacific Showman, published and edited by Mr. Lew Lindley, in Los Angeles, Calif., in a desire to inform the industry, particularly the independent theatre owners of the Southern California territory, with what the Neely Bill stands for, reproduced in its December 22 issue the Bill. But instead of reproducing the reformed draft, which is the draft that was passed by the Senate last year, reproduced the old draft. Thus those who will read it will have no idea whatever that the Bill has been reformed, particularly Sec. 4, which refers to the synopsis provision.

For instance, the old draft stated that the distributor must furnish the exhibitor, at the time of the sale, "a complete and true synopsis," whereas the reformed draft, which is the form that will be introduced in the House of Representatives when Congress convenes, says, "an accurate synopsis"; instead of "an outline of the story, incidents, and scenes depicted or to be depicted," it says, "a general outline of the story, and descriptions of the principal characters," and so on.

That is what has been the trouble with the opponents of the Bill all along; they either did not understand the meaning of the different provisions of the Bill, or have based their arguments on misinformation. For example, the different MPTOA heads, big or little, as well as many representatives of the major companies, have told the independent exhibitors that, if the Neely Bill becomes a law, they will not be able to buy pictures in a group; they will be compelled to buy them one at a time. And you will be surprised to know that many intelligent exhibitors have swallowed this misinformation, just because they either have neglected to read the Bill, or have failed to obtain a copy of the new Bill.

HARRISON'S REPORTS and Allied have, of course, refuted these arguments whenever they have been made. The last time that this paper made plain the block-booking provisions of the Bill was September 23, in the editorial, "Misrepresenting the Purport of the Neely Bill."

I am thoroughly convinced that Mr. Lindley did not reproduce the wrong draft purposely, but only through an error, for in the same issue, discussing the Bill, he takes a stand decidedly in its favor. For instance, he says partly:

"We advise you to read it over and form your own judgment as to what it will and will not do to the motion picture business. The only advice we have to offer is this, permit no man nor set of men to do your thinking for you. (EDITOR'S NOTE: This advice was given as a result of Harry Brandt's visit to Los Angeles on his recent tour talking against the Bill.)

Personally we are doubtful that anything could make the lot of the independent exhibitor very much worse than it is at the present time, beset as he is on all sides with demands for higher film rentals, higher taxes, higher wages and increased overhead expenses in general. Along with the highest overhead, the exhibitor is faced with a lower public interest in motion pictures; constant competition of screen stars on radio programs on evenings and at hours which formerly brought out the crowds to the theatres; the nation-wide bowling craze, night baseball, soft ball and other open air sports have cut deeply into his box office receipts. Coupled with all this, the independent exhibitor is compelled to play the film product, in most spots, after the large circuit houses have skimmed off all the cream, and he has to change his bookings around in such a manner and fashion that it is almost impossible to properly advertise a program 24 hours ahead of the exact playing date."

I am sending Mr. Lindley a copy of the reformed Bill with a request that he correct the error.

**"Invisible Stripes" with George Raft,
Jane Bryan, William Holden
and Flora Robson**

(Warner Bros., December 30; time, 81 min.)

This melodrama, although offering little that is novel in the way of story or of plot development, should find favor with audiences that enjoy gangster melodramas. As entertainment for the average spectator it is pretty depressing, for it shows the hopeless struggle an ex-convict puts up to lead an honest life. What makes it depressing is the fact that he is compelled to go back to crime for a livelihood, eventually meeting with death. Another depressing feature is the constant harping on the part of the hero's brother about his inability to make a living and the hopelessness of it all. Towards the end, starting with the attempted holdup of an armored car, the action becomes gory. The hero's death is unpleasant, because of the unhappiness it brings to his family:—

Upon his release from prison, George Raft returns home and is greeted affectionately by his mother (Flora Robson), his brother (William Holden), and the brother's fiancee (Jane Bryan). His first setback comes when his own fiancee breaks their engagement. Raft, determined to go straight, is willing to take any kind of work; but each time he loses out because of his prison record. Holden, unable to earn enough money to marry Miss Bryan, is on the verge of entering a life of crime; but Raft beats some sense into him. Knowing that unless things changed for the better Holden would turn to crime, Raft decides to join Humphrey Bogart and his gang. Raft leads his family to believe that he had become a tractor salesman; he sends them money so that Holden could open a garage. He returns home, determined to give up crime, since his brother was established. Bogart and his pals try to hold up an armored truck, but are unsuccessful in their attempts. Bogart is wounded in the gun fight; he orders his men to drive the car to Holden's garage. By leading Holden to believe that Raft was mixed up in the holdup, he obtains Holden's help. Holden drives him to his apartment. But the police, having followed the trail to Holden's garage, arrest Holden. Raft rushes to his brother's side; he forces him to identify the criminals, thus obtaining his release. Raft then goes to Bogart's side in an effort to help him, for he felt he owed him something. But they are both cornered there by the other members of the gang, who kill them. The gangsters are either killed or caught by the police, who had arrived at the scene.

Jonathan Finn wrote the story based on a book by Warden Lewis E. Lawes, and Warren Duff, the screen play; Lloyd Bacon directed it, and Hal Wallis produced it, with Lou Edelman as associate producer. In the cast are Paul Kelly, Lee Patrick, Henry O'Neill, Frankie Thomas, Moroni Olsen, and others.

Unsuitable for children and adolescents. Adult fare. Class B.

**"The City of Chance" with Donald Wood
and Lynn Bari**

(20th Century-Fox, January 12; time, 57 min.)

A mild program offering. Although the picture runs only 57 minutes, considerable padding had to be done to give it that footage, which is an indication of how thin is the story. It may satisfy those who are not too demanding in their choice of entertainment, for the action moves along at a fairly good pace, and at times it is somewhat exciting. The situations showing different persons gambling and winning large sums of money are not edifying for children, nor for that matter for adults either:—

Donald Wood, owner of a successful gambling establishment, refuses to listen to the pleas of C. Aubrey Smith, his manager, who was an inveterate gambler, to sell out the place to Richard Lane, a racketeer, who wanted it. Smith becomes suspicious of one of the patrons (Lynn Bari), who

posed as a naive Southerner; he soon finds out that she was a newspaper reporter and that she was there just to get enough evidence so as to call the District Attorney to start a raid. He prevents her from using the telephone. Miss Bari is surprised to find that Wood was the owner of the place, for they were childhood friends and had always felt affectionately towards each other. Many things happen that one night—Lane's men attempt to kill Wood, and one of the patrons attempts to blackmail another. Smith, feeling that Wood did not belong in the gambling racket, permits Miss Bari to call the District Attorney. But just before the raid occurs, Wood sells the place to Lane, receiving cash in payment therefor. Lane is furious, demanding his money back when the raid occurs; but Wood naturally refuses to give it to him. He leaves the place with Miss Bari. They decide to marry and return to Texas, there to live on a ranch. Smith refuses to go with them, for the excitement of city life was in his blood.

John Larkin and Barry Trivers wrote the original screen play; Ricardo Cortez directed it, and Sol M. Wurtzel produced it. In the cast are Amanda Duff, Charlotte Wynters, Gale Page, and others.

Unsuitable for children or adolescents. Adult fare. Class B.

**"Swanee River" with Don Ameche,
Andrea Leeds and Al Jolson**

(20th Century-Fox, January 5; time, 85 min.)

Fair entertainment, with pretty good box-office possibilities because of the popularity of the players. The lavish production, with Technicolor photography, cannot cover up the plot weaknesses, or the fact that the action is extremely slow-moving. Musically, the picture is satisfactory, for the Stephen Foster songs are melodious and are presented charmingly and sung well. But the characterizations are weak and the characters' act unconvincing. The romance is routine:—

While visiting a relative down South, Stephen Foster (Don Ameche) meets and falls in love with Jane (Andrea Leeds), daughter of a fairly well-to-do family. Her father refuses to treat the affair seriously, for he felt that Foster who dreamed of becoming a popular song writer, could not support his daughter. Foster returns to his home in the North, only to find that his father had met with financial reverses. He goes to work, but his mind is only on music. He composes a song which he sells to E. P. Christy (Al Jolson), a famous minstrel man, for fifteen dollars. Christy publishes it as his own song, and it soon sweeps the country. Foster is furious, and insults Christy when next he meets him. But Christy offers him a job with his outfit; Foster starts composing. He soon becomes famous and wealthy. Jane's father no longer objects to the match, and so the young couple marry. They live happily; the only unhappiness Jane suffers is when Foster drinks. He is even absent from her side the night their child is born; but she forgives him. But her patience gives out, and some time later she leaves him, taking their child with her. Foster loses his inspiration, and sinks to the position of piano player in a Chinatown cafe. Christy finds him, and is so shocked that he writes to Jane. She rushes to Foster's side, and inspires him anew. The night he was to make his comeback by presenting his new song "Swanee River," Foster suffers a heart attack and dies. But Christy sings his song as a tribute; the audience cheers it.

John Taintor Foote and Philip Dunne wrote the screen play, Sidney Lansfield directed it, and Kenneth Macgowan produced it. In the cast are Felix Bressart, Richard Clarke, Chick Chandler, Russell Hicks, The Hall Johnson Choir, and others.

Suitability, Class A.

NOTE: The story of Stephen Foster was produced for the independent market in 1935, by Mascot Productions, as "Harmony Lane."

"Money to Burn" with James, Lucile and Russell Gleason

(*Republic, December 28; time, 66 min.*)

Continuing in the slapstick vein similar to the other pictures in the "Higgins Family" series, this one is no better or worse than its predecessors. The story is far-fetched and extremely silly; and the characters are presented as half-wits. But in theatres where other pictures of this series went over, this, too, may be accepted, for the action is fast, and at times comical enough to provoke laughter:—

James Gleason is annoyed because his wife (Lucile Gleason) neglected her household duties in order to compete in various contests that offered money prizes. He warns her to give up contests. Unknown to him, she enters a contest being sponsored by a client of James' advertising concern, the prize for which was \$50,000. When she learns that employees of the advertising concern and their families were barred from the contest, she contrives, with the help of her son (Russell Gleason) and her father (Harry Davenport) to get James discharged. When he finds out about the trick, James is so enraged that he prepares to leave home. But luckily, the trick works to his benefit, for he is offered a better position with a rival advertising concern. Lucile is horrified when she hears that the client who was sponsoring the contest had switched his account to James' new firm. She and Russell rush to the office to try to prevent James from starting to work there; but Davenport, who had found out that Lucile had not won the prize, rushes after them and prevents them from carrying out their plans. Lucile faints when she hears that she had lost.

Jack Townley and Taylor Caven wrote the story, and Jack Townley, the screen play; Gus Meins directed and produced it. In the cast are Lois Ranson, Tommy Ryan, Thurston Hall, and others.

Suitability, Class A.

"His Girl Friday" with Cary Grant, Rosalind Russell and Ralph Bellamy

(*Columbia, January 18; time, 91 min.*)

A very good remake of "The Front Page." It is just as racy, as fast-moving, and as comical as was the first picture. Even though the story and its development will be familiar to those who saw the first version of "The Front Page," they will be entertained just the same, for the action is so exciting that it holds one in tense suspense throughout. The idea of changing the leading character from a male to a female reporter has worked out well, for it heightens the romantic angle. The dialogue is sparkling, although at times it is pretty suggestive:—

Rosalind Russell, former crack reporter, recently divorced from Cary Grant, the managing editor of the newspaper for which she worked, visits him in order to tell him that she was planning to marry sedate, steady Ralph Bellamy, an insurance salesman. Grant tries all his tricks to make her change her mind, but she resists him. By promising to take out a large insurance policy through Bellamy, Grant induces her to cover a murder case for the paper. Things begin happening just as soon as Miss Russell enters the case: for one thing, the prisoner escapes, and, for another, he hides in the press room where Miss Russell, the sole occupant, was writing her story. Sensing an opportunity for a scoop, she hides him in a roll-top desk, and then telephones to Grant to rush over. They try to keep the prisoner hidden, but Bellamy's mother, who had discovered what had happened and was angry at Miss Russell, gives their secret away. The only way they are able to get out of being arrested is by threatening to expose the Mayor, who had tried to avoid being served with papers reprieving the condemned prisoner. Miss Russell, realizing that Bellamy was not the man for her, plans to remarry Grant.

The plot was adapted from the stage play by Ben Hecht and Charles MacArthur. Charles Lederer wrote the screen play, and Howard Hawks directed and produced it. In the cast are Gene Lockhart, Porter Hall, Ernest Truex, Helen Mack, Roscoe Karns, Clarence Kolb, and John Qualen.

Not for children. Suitable for adolescents and adults. **Class B.**

"Charlie McCarthy, Detective" with Edgar Bergen, Robert Cummings and Constance Moore

(*Universal, December 22; time, 76 min.*)

Strictly for the Charlie McCarthy fans, for, aside from the clowning that Edgar Bergen carries on with the two dummy characters, "McCarthy" and "Mortimer Snerd," the story offers very little. The melodramatic murder angle is far-fetched, and the action is slow-moving. As a matter of fact, during the first half there aren't many opportunities for comedy; but it does pick up in the second half, and, towards the end, it is pretty amusing. A few songs have been interpolated without retarding the action; and the romance is pleasant:—

Robert Cummings, who worked on the magazine owned by Louis Calhern, knows that Calhern was tied up with racketeers but is naturally unable to do anything about it. He loves Constance Moore, a night club entertainer, but she loved John Sutton, a reporter, who had been gathering together information about Calhern's criminal affiliations. Cummings learns that Sutton had been framed by Calhern and thrown into prison. But Sutton manages to escape. He arrives at Calhern's house during a party, at which Miss Moore was entertaining. She hides him in her room. In the meantime, Calhern is murdered. Several persons are suspected. But Bergen, who was at the party as an entertainer, starts investigating on his own. He realizes that Cummings had committed the murder. Cummings confesses, thus removing the stigma of suspicion from Sutton. Miss Moore and Sutton are united.

Robert White and Darrell Ware wrote the story, and Edward Eliscu, Harold Shumate, and Richard Mack, the screen play; Jerry Sackheim directed it, and Frank Tuttle produced it. In the cast are Samuel S. Hinds, Harold Huber, Warren Hymer, Ray Turner, and others.

Except for the murder angle, the picture is suitable for all. Children will probably want to see it because of "Charlie McCarthy." Moral suitability, however, Class B.

"Cafe Hostess" with Preston Foster and Ann Dvorak

(*Columbia, November 30; time, 62 min.*)

This sordid melodrama is mediocre fare. The story is unpleasant and demoralizing, and the production values poor. One feels no sympathy for the characters, who do nothing to win one's good will. Except for a free-for-all fight in the closing scenes, the action is slow:—

Preston Foster and two friends, all seamen spending some time in port, go to a night club run by Douglas Fowley. Foster is attracted to Ann Dvorak, a hostess, and asks her over to his table. He catches her trying to steal his wallet; he then realizes that the club was a "clip-joint" and that Miss Dvorak was one of the "clippers." Instead of having her arrested, he lectures her. But he visits the club again, mainly because he had fallen in love with Miss Dvorak; he did not know that she was Fowley's girl friend. When she confesses her love for Foster he decides to get something on Fowley and thus force him to leave Miss Dvorak alone. He discovers where Fowley had hidden stolen merchandise and decides to tell the police. But Fowley warns him that if he should do so, he would involve Miss Dvorak and that she, too, would go to jail. Fowley warns Foster not to return to the club. But he does return. Miss Dvorak, knowing that Foster's life was in danger, pretends that she had been fooling him and asks him to leave. But Wynne Gibson tells Foster the truth and he starts a fight to free Miss Dvorak. Miss Gibson notices Fowley aiming his gun at Foster. She kills Fowley and then, after the fight, gives herself up to the police. Foster and Miss Dvorak plan to marry.

Tay Garnett and Howard Higgin wrote the story, and Harold Shumate, the screen play; Sidney Salkow directed it. In the cast are Arthur Loft, Bradley Page, George McKay, Peggy Shannon, and others.

Not for children or adolescents. Adult fare. **Class B.**

THE "POT O' GOLD" RADIO PROGRAM

Pete Wood, business manager of The Independent Theatre Owners of Ohio, published the following item in his December 2 Bulletin, under the heading, "Pot of Gold":

"It may be gold for the radio sponsor but theatre owners are finding it to be something entirely different.

"Perhaps you have wondered why your Tuesday night's business has been on the down-grade since the middle of October. Investigation will prove to you that many of your patrons are hugging their telephones between eight thirty and nine o'clock on this night to listen to the 'POT OF GOLD' Radio program.

"This is the broadcast over NBC on Tuesday nights at 8:30 P.M., Eastern Standard Time, where the TUMS company offer \$1,000 in cash to the person answering the telephone number that is called by the sponsor from New York. In the event that the telephone does not answer, the amount is carried over until the following week when the 'POT OF GOLD' amounts to \$2,000. Since this program has been in effect, it has never gone beyond a \$3,000 award.

"Realizing the seriousness of the situation, the Board of Directors of this organization met this week and decided that Ohio theatre owners could recover this Tuesday night business by offering to give to the person whose telephone number is called in this 'POT OF GOLD' contest, *DOUBLE THE AMOUNT OFFERED BY THE PROGRAM'S SPONSOR IF THE PERSON IS IN AN OHIO MOTION PICTURE THEATRE AND PROPERLY IDENTIFIES HIM OR HERSELF AS THE PERSON WHOSE TELEPHONE NUMBER WAS CALLED.*

"IN OTHER WORDS, IF THE 'POT OF GOLD' AWARD IS \$1,000, WE WILL OFFER \$2,000; IF THE 'POT OF GOLD' PRIZE IS \$2,000, OUR OFFER WILL BE \$4,000.

"OUR OBJECT IN DOUBLING THE AMOUNT OFFERED BY THE RADIO SPONSOR IS, OF COURSE, THE INDUCEMENT FOR PEOPLE TO LEAVE THEIR FIRESIDES AND ATTEND SOME THEATRE.

"The campaign will be open to *all* Ohio motion picture theatres irrespective of their membership in this association. The amount to be assessed against each participating theatre shall be decided upon *after* we know the number of theatres that will participate. However, before we can definitely set any assessment, we must first know how many theatres are interested. The more theatres participating the lower we can make the assessments.

"The campaign will be sponsored by this association which will guarantee the payment of the prize money to any winning contestants during the period of the campaign.

"What we want to know now, and know immediately, is: WILL YOU ENROLL YOUR THEATRE OR THEATRES IN THIS CAMPAIGN IF ENOUGH THEATRES AGREE TO GO ALONG?

"We must know quickly as the plan should be launched so as to tie in with the 'POT OF GOLD' broadcast on TUESDAY, DECEMBER 12th.

"If you are interested as a participant, wire me immediately."

Pete's idea deserves the serious consideration of every exhibitor organization in the country.

In a later bulletin, Mr. Wood explained the plan as follows: Each participating theatre will deposit an amount equal to 3c per seat. Enough theatres are to be enrolled to make up the amount of \$6,000, which is twice the highest amount paid at any one time by "POT O' GOLD." When the first award is paid out, each participating theatre will be assessed its pro rata of the award, so as to replenish the fund by the amount of the award. This will keep the fund full at all times.

The organization will not charge anything for handling the fund.

In a still later bulletin, Mr. Wood stated that theatres with one-half the required number of seats had been secured, and it seemed as if there was no doubt in his mind that the full number would be secured.

This "POT O' GOLD" radio program has swept the country; it is the most popular program. Consequently, the Tuesday night business of the picture theatres has been shot to pieces, and the Pete Wood plan seems to be the only thing that will restore it. As a matter of fact, it is my belief that this plan will, not only restore the Tuesday night

business, but augment it, for the inducement of going to a picture theatre will be greater than staying at home, for the mere reason that twice the amount of money will be paid to the winner if he should be found in a theatre at the time his name is called.

Mr. Wood may be reached at 55 East State Street, Columbus, Ohio.

PICTURES NOW IN PRODUCTION

(Editor's Note: This appraisal is based on star values alone, unless the story is obtainable. It is made merely to assist the exhibitor to learn what pictures are about to be released.)

Twentieth Century-Fox

"DANCE WITH THE DEVIL," with Tyrone Power, Dorothy Lamour, Edward Arnold, Lloyd Nolan, Lionel Atwill and Charles Grapewin, produced by Harry Joe Brown, and directed by Henry Hathaway. Good producer, good director and good cast. The picture should turn out good to very good.

"I WAS AN ADVENTURESS," with Zorina (the dancer), Richard Greene, Peter Lorre, and Eric von Stroheim, produced by Nunnally Johnson, and directed by Gregory Ratoff. The supporting cast is good, but Zorina does not mean anything to the box office; she has so far appeared in Goldwyn's "Goldwyn Follies" and in the Warner Bros. picture, "On Your Toes," but neither picture made a hit, least of all the latter. It will take powerful stories to put her over. Chalk it off as a fair to poor box office attraction, despite the director's skill.

United Artists

"1,000,000 B.C., (Hal Roach Productions), with John Hubbard ("The Housekeeper's Daughter"), Victor Mature, Carol Landis, Lon Chaney, Jr., and others, produced by D. W. Griffith, and directed by Hal Roach. It is the belief of this writer that Mr. Griffith's name still has a box office value, provided the picture is good; with a good story, Mr. Griffith can come back for sure. But nothing is known of the story. For this reason, this column cannot make even a guess. But the story had better be good; otherwise Mr. Griffith will be in a worse position for a comeback than he is now.

"MY SON, MY SON!" (Edward Small Productions), with Madeleine Carroll, Brian Aherne, Louis Hayward, Frances Dee, Josephine Hutchinson, Henry Hull, Lionel Belmore and others, directed by Charles Vidor. It is the Howard Spring Best Seller, a deeply moving story, with considerable action. Since the cast is very capable, the picture should do well, even very well, at the box office.

"THE WESTERNER" (a Goldwyn Production), with Gary Cooper, Walter Brennan, Doris Davenport, Dana Andrews, Tom Tyler, Paul Hurst and others, directed by William Wyler. Gary Cooper is one of the most popular screen players just now, but his drawing powers, too, are affected by the quality of the story. "The Cowboy and the Lady" is an example; it flopped. Since nothing is known of the story, we shall have to wait until the picture is produced before determining the picture's box office value. And even then, it is hard to tell whether the contract-holders will get it on their present contract or not, because Mr. Goldwyn has announced that he has severed his relations with United Artists. It may be that the courts will have to determine whether he will be held to his contract with United Artists for the remainder of the 1939-40 season or not.

EDITOR'S NOTE: Because of the controversy between Samuel Goldwyn and United Artists, this picture may be released through some other company.

Universal

"OH JOHNNY, HOW YOU CAN LOVE!" with Tom Brown, Peggy Moran, Isabel Jewell, Allen Jenkins, Donald Meek, and others, produced by Ken Goldsmith, and directed by Charles Lamont. Program stuff.

"THE DEVIL IS YELLOW," with Wayne Morris, Margaret Lindsay, William Gargan, Roscoe Karns, and others, produced by Ben Pivar, and directed by Phil Rosen. A little better than program.

ORDER YOUR MISSING COPIES

Because of the holiday rush, one or two of your copies of HARRISON'S REPORTS may have been lost in the mails. Look, then, over your files, and find out what copies are missing, so that we may duplicate them.

HARRISON'S REPORTS

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NEW YORK, N. Y., SATURDAY, JANUARY 6, 1940

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Desperate Trails—Universal (58m.)	Not Reviewed
Destry Rides Again—Universal (93 min.)	195
Devil on Wheels—Warner Bros. (See "Indianapolis Speedway")	114
Disputed Passage—Paramount (91 min.)	166
Drums Along the Mohawk—20th Century-Fox (103 min.)	179
Dust Be My Destiny—First National (88 min.)	146
Each Dawn I Die—First National (91 min.)	122
Elsa Maxwell's Hotel for Women—20th Century-Fox (83 min.)	127
Escape, The—20th Century-Fox (54 min.)	151
Escape to Paradise—RKO (62 min.)	198
Espionage Agent—First National (82 min.)	158
Eternally Yours—United Artists (100 min.)	162
Everybody's Hobby—First National (See "The Hobby Family")	139
Every Other Inch a Lady—MGM (See "Dancing Co-ed")	163
Everything Happens at Night—20th Century-Fox (77 min.)	203
Everything's on Ice—RKO (66 min.)	147
Fast and Furious—MGM (73 min.)	163
Fifth Avenue Girl—RKO (82½ min.)	139
Fighting Gringo, The—RKO (59 min.)	143
First Love—Universal (84 min.)	183
Five Little Peppers and How They Grew—Columbia (59 min.)	146
Flight at Midnight—Republic (65 min.)	142
Flying Deuces, The—RKO (68 min.)	171
Forgotten Woman, The—Universal (68 min.)	111
Four Feathers—United Artists (116 min.)	107
Four Wives—First National (101 min.)	194
Frontier Marshal—20th Century-Fox (71 min.)	123
Fugitive at Large—Columbia (63 min.)	187
Full Confession—RKO (72 min.)	139
Geronimo—Paramount (89 min.)	191
Girl from Rio, The—Monogram (62 min.)	131
Girl From Nowhere, The—Monogram (See "Should a Girl Marry?")	106
Golden Boy—Columbia (99 min.)	142
Golden Gloves—Universal (See "Ex-Champ")	83
Gone With the Wind—MGM (3 hrs. and 45 min.)	207
Good Girls Go To Paris—Columbia (77 min.)	102
Great Victor Herbert, The—Paramount (90 min.)	198
Gulliver's Travels—Paramount (76 min.)	206
Hawaiian Nights—Universal (65 min.)	135
Heaven with a Barbed Wire Fence—20th Century-Fox (62 min.)	178
Hell's Kitchen—Warner Bros. (81 min.)	107
Henry Goes Arizona—MGM (65½ min.)	203
Here I Am a Stranger—20th Century-Fox (83m.)	158
Heritage of the Desert—Paramount (78 m.) Not Reviewed	
Hero for a Day—Universal (66 min.)	150
Heroes in Blue—Monogram (59 min.)	190
Hidden Power—Columbia (59 min.)	123
High School—20th Century-Fox (74 min.)	207
Hobby Family, The—First National (54 min.)	139
Hollywood Cavalcade—20th Century-Fox (96 min.)	162
Honeymoon in Bali—Paramount (95 min.)	151
Honeymoon's Over, The—20th Century-Fox (70m.)	186
Housekeeper's Daughter, The—United Artists (79m.)	171
Hunchback of Notre Dame, The—RKO (116 min.)	202
Indianapolis Speedway—Warner Bros. (81 min.)	114
In Name Only—RKO (94 min.)	126
Inspector Hornleigh on Holiday—20th Century-Fox (77 min.)	198
Intermezzo—United Artists (70 min.)	163
Irish Luck—Monogram (58 min.)	142
Island of Lost Men—Paramount (63 min.)	130
I Stole a Million—Universal (77 min.)	119
Jamaica Inn—Paramount (99 min.)	155
Jeepers Creepers—Republic (66 min.)	174
Joe and Ethel Turp Call on the President—MGM (70 min.)	202
Kansas Terrors—Republic (57 min.)	Not Reviewed
Kid Nightingale—Warner Bros. (56½ min.)	178
Konga, The Wild Stallion—Columbia (65 min.)	154
Lady of the Tropics—MGM (91 min.)	134
Laugh It Off—Universal (63 min.)	182
Law of the Pampas—Paramount (71m.)	Not Reviewed
Legion of Lost Flyers—Universal (63 min.)	159
Legion of the Lawless—RKO (59 min.)	194
Light That Failed, The—Paramount (98½ min.)	207
Little Accident—Universal (64 min.)	179
Llano Kid, The—Paramount (69 min.)	199
Magnificent Fraud, The—Paramount (77 min.)	110
Main Street Lawyer—Republic (71½ min.)	175
Man About Town—Paramount (84 min.)	102
Man from Montreal, The—Universal (63 min.)	195
Man from Sundown—Columbia (59 min.)	Not Reviewed
Man from Texas—Monogram (60 min.)	Not Reviewed
Man in the Iron Mask, The—United Artists (110 min.)	110
Man They Could Not Hang, The—Columbia (63m.)	142
Man Who Dared, The—First National (60 min.)	107
Married and in Love—RKO (58 min.)	203
Meet Dr. Christian—RKO (70 min.)	174
Melody of Youth—United Artists (See "They Shall Have Music")	115
Mexican Spitfire—RKO (67 min.)	202
Mickey the Kid—Republic (68 min.)	103
Million Dollar Legs—Paramount (64 min.)	115
Miracles for Sale—MGM (71 min.)	127

Missing Evidence—Universal (64 min.)	186	Timber Stampede—RKO (59 min.)	103
Mr. Smith Goes to Washington—Columbia (127 min.)	166	Too Busy to Work—20th Century-Fox (65 min.)	179
Mr. Wong in Chinatown—Monogram (70 min.)	130	Tomorrow at Midnight—Universal (See "For Love or Money")	66
Mutiny in the Big House—Monogram (83 min.)	166	Tower of London—Universal (91 min.)	190
Mutiny on the Black Hawk—Universal (60 min.)	115	Tropic Fury—Universal (62 min.)	146
Nancy Drew and the Hidden Staircase—		20,000 Men a Year—20th Century-Fox (83 min.)	175
Warner Bros. (60 min.)	Not Reviewed	Two Bright Boys—Universal (70 min.)	150
Nancy Drew, Trouble Shooter—Warner Bros. (69m.)	107	Two Thoroughbreds—RKO (61 min.)	198
Naughty But Nice—Warner Bros. (90 min.)	102	U-Boat 29—Columbia (79 min.)	158
News Is Made at Night—20th Century-Fox (71m.)	111	Under-Pup, The—Universal (87 min.)	138
Nick Carter, Master Detective—MGM (59 min.)	199	Unexpected Father—Universal (77 min.)	122
Night of Nights, The—Paramount (85 min.)	194		
Night Work—Paramount (61 min.)	131	Ware Case, The—20th Century-Fox (71 min.)	115
Ninotchka—MGM (110 min.)	167	Waterfront—Warner Bros. (59 min.)	114
No Place to Go—First National (56 min.)	150	Way Down South—RKO (62 min.)	122
Nurse Edith Cavell—RKO (97 min.)	147	We Are Not Alone—First National (111 min.)	182
Oklahoma Frontier—Universal (58 min.)	Not Reviewed	Western Caravan—Columbia (58 min.)	Not Reviewed
Oklahoma Terror—Monogram (58m.)	Not Reviewed	What a Lie—Paramount (78 min.)	154
Old Maid, The—First National (95 min.)	131	When Tomorrow Comes—Universal (90 min.)	130
On Borrowed Time—MGM (98 min.)	110	Winter Carnival—United Artists (90 min.)	118
On Dress Parade—Warner Bros. (62 min.)	178	Witness Vanishes, The—Universal (66 min.)	155
One Hour to Live—Universal (59 min.)	159	Wizard of Oz, The—MGM (100 min.)	134
\$1,000 a Touchdown—Paramount (73 min.)	163	Woman Is the Judge, A—Columbia (62 min.)	123
On Your Toes—First National (94 min.)	162	Women, The—MGM (132 min.)	147
Our Leading Citizen—Paramount (88 min.)	126		
Our Neighbors, the Carters—Paramount (83 min.)	186		
Outpost of the Mounties—Columbia (63m.)	Not Reviewed		
Pack Up Your Troubles—20th Century-Fox (75m.)	158		
Parents on Trial—Columbia (57 min.)	119		
Phantom Strikes, The—Monogram (58 min.)	182		
Playing with Dynamite—Warner Bros. (59 min.)	131		
Pride of the Blue Grass, The—Warner Bros. (64m.)	167		
Private Detective—First National (55 min.)	195		
Private Lives of Elizabeth and Essex, The—			
Warner Bros. (106 min.)	162		
Queen of Destiny—RKO (See "Sixty Glorious Years")	194/1938		
Quick Millions—20th Century-Fox (61 min.)	130		
Raffles—United Artists (70 min.)	206		
Rains Came, The—20th Century-Fox (103 min.)	151		
Range War—Paramount (65 min.)	Not Reviewed		
Real Glory, The—United Artists (96 min.)	155		
Remember?—MGM (82 min.)	183		
Renegade Trail—Paramount (57 min.)	Not Reviewed		
Reno—RKO (72 min.)	183		
Return of Dr. X, The—First National (61 min.)	191		
Riders of the Frontier—Monogram (58m.)	Not Reviewed		
Rio—Universal (77 min.)	162		
Roaring '20s—Warner Bros. (105 min.)	174		
Ruler of the Seas—Paramount (96 min.)	151		
Sabotage—Republic (66 min.)	182		
Saint in London, The—RKO (72 min.)	102		
Sandy Takes a Bow—Universal (See "Unexpected Father")	122		
Scandal Sheet—Columbia (65 min.)	170		
Second Fiddle—20th Century-Fox (86 min.)	110		
Secret Four, The—Monogram (73 min.)	206		
Secret of Dr. Kildare, The—MGM (84 min.)	190		
She Married a Cop—Republic (66 min.)	111		
Shipyard Sally—20th Century-Fox (79 min.)	170		
Should a Girl Marry?—Monogram (61 min.)	106		
Should Husbands Work?—Republic (66 min.)	119		
Sky Patrol—Monogram (60 min.)	154		
Smashing the Money Ring—Warner Bros. (56 min.)	171		
Smuggled Cargo—Republic (62 min.)	146		
Spellbinder, The—RKO (69 min.)	118		
Stanley and Livingstone—20th Century-Fox (101m.)	127		
Star Maker, The—Paramount (93 min.)	138		
Stop, Look and Love—20th Century-Fox (57m.)	143		
Stranger from Texas—Columbia (54m.)	Not Reviewed		
Stronger Than Desire—MGM (78 min.)	106		
Stunt Pilot—Monogram (62 min.)	114		
Sued for Libel—RKO (66 min.)	170		
Sussannah of the Mounties—20th Century-Fox (78m.)	103		
Television Spy—Paramount (57 min.)	170		
That Girl from College—RKO (See "Sorority House")	66		
That's Right—You're Wrong—RKO (93 min.)	187		
These Glamour Girls—MGM (78 min.)	139		
They All Come Out—MGM (69 min.)	114		
They Shall Have Music—United Artists (100 min.)	115		
This Man Is News—Paramount (74 min.)	123		
Those High Grey Walls—Columbia (82m.)	166		
Thou Shalt Not Kill—Republic (67 min.)	202		
Three Sons—RKO (72 min.)	167		
Thunder Afloat—MGM (94 min.)	154		

RELEASE SCHEDULE FOR FEATURES

Columbia Features

(729 Seventh Ave., New York, N. Y.)

1032 Miracle of Main Street—Abel-Margo (68m.)	Oct. 29
1202 (1020) The Stranger From Texas—	
Starrett (54 min.)	Nov. 2
1013 Blonde Brings Up Baby—Singleton	Nov. 9
1007 The Amazing Mr. Williams—Blondell	Nov. 23
1030 Cafe Hostess—Foster-Dvorak (63 min.)	Nov. 30
1211 Taming of the West—Bill Elliott (55 min.)	Dec. 7
1026 Fugitive at Large—Holt-Ellis	Dec. 7
My Son Is Guilty—Cabot-Wells	Dec. 28
1203 Two Fisted Rangers—Starrett (62 min.)	Jan. 4
Music in My Heart—Martin-Hayworth	Jan. 10
His Girl Friday—Grant-Russell (re.)	Jan. 18
I Married Adventure—Mrs. Johnson (re.)	Jan. 22
The Lone Wolf Strikes Back—William	Jan. 26
Convicted Woman—Hudson-Ford	Jan. 31

First National Features

(321 W. 44th St., New York, N. Y.)

470 Smashing the Money Ring—Reagan-Foy, Jr.	Oct. 21
458 We Are Not Alone—Muni-Bryan-Robson	Nov. 25
464 The Return of Doctor X—Morris-Lane	Dec. 2
471 Private Detective—Wyman-Foran	Dec. 9
453 Four Wives—Lane Sisters-Rains-Lynn	Dec. 25
451 The Fighting 69th—Cagney-O'Brien	Jan. 27

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

7 Ninotchka—Garbo-Douglas	Nov. 3
11 Remember?—Taylor-Garson-Ayres-Burke	Nov. 10
13 Another Thin Man—Powell-Loy	Nov. 17
12 The Secret of Dr. Kildare—Ayres	Nov. 24
14 Joe and Ethel Turp Call on the President—	
Sothorn-Stone-Brennan	Dec. 1
2 Henry Goes Arizona—Morgan-Weidler	Dec. 8
15 Nick Carter, Master Detective—Pidgeon	Dec. 15
16 Judge Hardy and Son—Rooney-Stone	Dec. 22
17 Balalaika—Eddy-Massey-Ruggles-Morgan	Dec. 29
18 Earl of Chicago—Montgomery-Arnold-Owen	Jan. 5
20 The Shop Around the Corner—Sullivan-	
Stewart-F. Morgan	Jan. 12
19 Congo Maisie—Sothorn-J. Carroll	Jan. 19
22 Lambeth Walk—Lupino Lane-Sally Gray	Jan. 26
Strange Cargo—Gable-Crawford	Feb. 2
21 Broadway Melody of 1940—Powell-Astaire	Feb. 9
Arouse and Beware—Beery-DelRio	Feb. 16
Northwest Passage—Tracy-Young-Brennan	Feb. 23

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

1938-39 Season

3816 Danger Flight—John Trent	Nov. 1
(End of 1938-39 Season)	

1939-40 Season

3923 The Phantom Strikes—Hale-Lawson Nov. 15
 3951 Roll, Wagons, Roll—Ritter (52 min.) Nov. 25
 3938 Yukon Flight—James Newill (57 min.) Dec. 1
 West of the Divide—John Wayne reissue Dec. 10
 Lucky Texan—Wayne reissue Dec. 10
 3952 Westbound Stage—Ritter (56 min.) Dec. 15
 3912 Gentleman From Arizona—MacDonald (re.) Dec. 25
 Danger Ahead—Renfrew No. 4 Jan. 10
 The Secret Four—Lee-Lawton Jan. 15
 Fatal Hour—Karloff No. 1 Jan. 15
 Front Page Lady—Hull-Linaker Jan. 20

Paramount Features

(1501 Broadway, New York, N. Y.)

3913 Llano Kid—Guizar-Dunn Dec. 8
 3914 All Women Have Secrets—Allen, Jr. Dec. 15
 3915 Gulliver's Travels—Cartoon Dec. 22
 3916 The Great Victor Herbert—Jones-Martin Dec. 29
 3917 Emergency Squad—Henry-Campbell Jan. 5
 3918 Geronimo—Foster-Drew-Devine Jan. 12
 3919 Remember the Night—Stanwyck-MacMurray Jan. 19
 3956 Santa Fe Marshal—Boyd (68 min.) Jan. 26

Republic Features

(1776 Broadway, New York, N. Y.)

952 Saga of Death Valley—Rogers (58 min.) Nov. 22
 962 Cowboys From Texas—Three Mesq. (57m.) Nov. 29
 941 South of the Border—Gene Autry (71 min.) Dec. 15
 953 Days of Jessie James—Roy Rogers (63m.) Dec. 20
 916 Thou Shalt Not Kill—Bickford-Davis, Jr. Dec. 22
 917 Money to Burn—J. Gleason-R. Gleason (66m.) Dec. 28

RKO Features

(1270 Sixth Ave., New York, N. Y.)

1938-39 Season

986 The Fighting Gringo—George O'Brien Sept. 8
 934 Fifth Avenue Girl—Rogers-Connolly Sept. 22
 946 Everything's On Ice—Dare-Kennedy Oct. 6
 945 Escape to Paradise—Bobby Breen Dec. 22
 (End of 1938-39 Season)

1939-40 Season

010 The Flying Deuces—Laurel-Hardy Nov. 3
 081 The Marshal of Mesa City—O'Brien Nov. 3
 006 Allegheny Uprising—Wayne-Trevor Nov. 10
 005 Meet Dr. Christian—Jean Hersholt Nov. 17
 011 That's Right, You're Wrong—Kyser-Menjou Nov. 24
 008 Reno—Dix-Patrick-Louise Dec. 1
 013 Two Thoroughbreds—Lydon-Kerrigan Dec. 8
 015 The Hunchback of Notre Dame—Laughton Dec. 29
 082 Legion of the Lawless—George O'Brien Jan. 5
 016 Mexican Spitfire—Velez-Wood-Errol Jan. 12
 014 Married and in Love—Marshal-Read Jan. 19
 (061 "Queen of Destiny," listed in the last Index as a November 3 release, has been postponed)

Twentieth Century-Fox Features

(444 W. 56th St., New York, N. Y.)

024 The Honeymoon's Over—Erwin-Weaver Dec. 15
 029 Everything Happens at Night—Henie Dec. 22
 012 The Cisco Kid and the Lady—Romero Dec. 29
 017 Swanee River—Ameche-Leeds-Jolson Jan. 5
 027 City of Chance—Bari-Woods-Smith Jan. 12
 023 He Married His Wife—McCrea-Kelly Jan. 19
 028 High School—Withers-Brown, Jr. Jan. 26
 030 The Man Who Wouldn't Talk—Nolan-Rogers Feb. 2
 031 Little Old New York—Faye-MacMurray Feb. 9
 032 The Jones Family in Young as You Feel—
 Prouty-Byington Feb. 16
 033 They Came by Night—Fyffe-Hulme Feb. 23
 (025 "The Blue Bird," listed in the last Index as a December 22 release, has been postponed to March 22.)

United Artists Features

(729 Seventh Ave., New York, N. Y.)

The Real Glory—Cooper-Leeds-Niven-Owen Sept. 29
 Eternally Yours—L. Young-D. Niven (re.) Oct. 12
 The Housekeeper's Daughter—J. Bennett-Menjou Oct. 26
 Slightly Honorable (City for Sale)—Pat O'Brien—
 Ruth Terry (reset) Dec. 22
 Raffles—Niven-DeHavilland Dec. 29
 Rebecca—L. Olivier-J. Fontaine Jan. 19

Universal Features

(1250 Sixth Ave., New York, N. Y.)

1938-39 Season

A3002 First Love—Durbin-Pallette Nov. 10
 (End of 1938-39 Season)

Beginning of 1939-40 Season

4051 Mutiny on the Black Hawk—Arlen-Devine Sept. 1
 4010 The Under-Pup—Cummings-Grey Sept. 1
 4044 The Mikado—Kenny Baker Sept. 8
 4058 (4059) Desperate Trails—Brown (58m.) Sept. 8
 4024 Hawaiian Nights—Downs-Carlisle Sept. 8
 4017 Two Bright Boys—Cooper-Bartholomew Sept. 15
 4027 The Witness Vanishes—Lowe-Barrie Sept. 22
 4014 Rio—Gurie-Rathbone-Cummings Sept. 29
 4073 All Quiet on the Western Front—Reissue
 (93 min.) Sept. 29
 4035 Hero for a Day—Louise-Foran-Grapewin Oct. 6
 4052 Tropic Fury—Arlen-Devine Oct. 13
 4059 Oklahoma Frontier—Brown (58 min.) Oct. 20
 4019 Little Accident—Sandy-Herbert Oct. 27
 4074 The Road Back—Reissue (79 min.) Nov. 3
 4020 Call a Messenger—Carlisle-Armstrong Nov. 3
 4053 Legion of Lost Flyers—Arlen-Devine Nov. 3
 4030 One Hour to Live—Bickford-Nolan Nov. 10
 4012 Tower of London—Karloff-Rathbone Nov. 17
 4016 The Big Guy—McLaglen-Cooper (re.) Nov. 24
 4060 Chip of the Flying U—Brown-Baker (55m.) Nov. 24
 4026 Laugh It Off—Downs-Moore Dec. 1
 4054 Man From Montreal—Arlen-Devine-Sutton Dec. 8
 4028 Missing Evidence—Foster-Hervey Dec. 15
 Charlie McCarthy, Detective—Bergen Dec. 22
 4002 Destry Rides Again—Dietrich-Stewart Dec. 29
 Oh Johnny How You Can Love—
 Brown-Moran Jan. 5
 The Invisible Man Returns—Hardwicke-
 Price-Grey (reset) Jan. 12

4061 West of Carson City—Brown (55m.) (re.) Jan. 19
 Green Hell—Fairbanks, Jr.-J. Bennett (re.) Jan. 26
 Danger on Wheels—Arlen-Devine Feb. 2

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

402 The Private Lives of Elizabeth and Essex—
 Davis-Flynn-DeHavilland Nov. 11
 413 "Dead End" Kids on Dress Parade—Litel Nov. 18
 408 Invisible Stripes—Raft-Bryan-Holden Dec. 30
 415 A Child Is Born—Fitzgerald-Lynn-George Jan. 6
 Brother Rat and a Baby—Lane-Bryan-Morris Jan. 13
 416 British Intelligence—Karloff-Lindsay Jan. 20
 ("The Mad Empress," listed in the last Index as No. 420,
 release date December 16, has now been given No. 481 and
 is listed as a Vitagraph release, same release date)

SHORT SUBJECT RELEASE SCHEDULE

Columbia—One Reel

1503 Dreams on Ice—Color Rhapsody (6½m.) Oct. 20
 1852 Screen Snapshots No. 2—(10m.) Oct. 27
 1552 Modern Cities of India—Tours (10m.) Oct. 27
 1802 Jai-Alai—World of Sports (7½m.) Nov. 3
 1504 Mountain Ears—Color Rhapsody (7½m.) Nov. 3
 1654 Community Sing No. 4—(10½m.) Nov. 17
 1553 Beautiful Switzerland—Tours (10m.) Nov. 17
 1853 Screen Snapshots No. 3—(10m.) Nov. 24
 1702 Millionaire Hobo—Phantasy (7m.) Nov. 24
 1505 Mother Goose in Swing Time—C. Rhapsody Dec. 8
 1752 Park Your Baby—Fables (6m.) Dec. 22
 1554 Life in Paris—Tours Dec. 22
 1971 World of 1960—Futurama—Cinescopes Dec. 22
 1655 Community Sing No. 5 Dec. 29
 1803 Flying Targets—World of Sport Dec. 29
 1902 U. S. Treasury—Wash. Parade No. 2 Dec. 29
 1854 Screen Snapshots No. 4 Jan. 5
 1506 A Boy, a Gun and Birds—Col. Rhap. (7½m.) Jan. 12
 1703 The Mouse Exterminator—Phantasy (6½m.) Jan. 26
 1555 New Hampshire—Tours Jan. 26

Columbia—Two Reels

1938-39 Season

9173 Terror in the Night—Overland #13 (17½m.) Oct. 13
 9174 Crumbling Walls—Overland #14 (18½m.) Oct. 20
 9175 Unmasked—Overland #15 (16m.) Oct. 27
 (End of 1938-39 Season)

1939-40 Season

1424 Teacher's Pest—C. Chase (16m.) Nov. 3
 1425 Glove Slingers—All Star (18m.) (re.) Nov. 24
 1403 Three Sappy People—Stooges (17m.) Dec. 1
 1426 Andy Clyde Gets Spring Chicken—
 Clyde (18m.) Dec. 15
 1427 The Awful Goof—C. Chase (17m.) Dec. 22
 1404 Rocking the Rockies—Three Stooges Jan. 5
 1141 The Doomed City—The Shadow No. 1 Jan. 5
 1142 The Shadow Attacks—Shadow No. 2 Jan. 12
 1428 Nothing But Pleasure—Keaton Jan. 19

Metro-Goldwyn-Mayer—One Reel

1938-39 Season

S-913 Set 'Em Up—Pete Smith (10m.) Oct. 7
 W-891 The Blue Danube—cartoons (7m.) Dec. 16
 (End of 1938-39 Season)

1939-40 Season

T-53 Quaint St. Augustine—Travel. (9m.) Nov. 4
 S-102 Ski Birds—Pete Smith (8m.) Nov. 18
 M-74 Mendelssohn's Wed. March—Min. (8m.) Nov. 4
 T-54 Valiant Venezuela—Traveltalks (9m.) Nov. 25
 C-133 Time Out for Lessons—Our Gang (11m.) Dec. 2
 K-121 Forgotten Victory—P. Parade (11m.) Dec. 9
 S-103 Romance of the Potato—Smith (9m.) Dec. 9
 W-81 Peace on Earth—Cartoons (9m.) Dec. 9
 F-142 See Your Doctor—Benchley (8m.) Dec. 16
 T-55 Land of Alaska Nellie—Travel. (9m.) Dec. 23
 T-56 Old Natchez—Traveltalks (9m.) Dec. 30
 M-75 Miracle at Lourdes—Miniatures (11m.) Dec. 30
 W-82 The Mad Maestro—Cartoons (8m.) Dec. 30
 M-76 Where Turf Meets Suri—Miniatures Jan. 6
 F-143 That Inferior Feeling—Benchley (9m.) Jan. 20

Metro-Goldwyn-Mayer—Two Reels

1938-39 Season

P-816 Drunk Driving—Crime Doesn't Pay (21m.) Oct. 28
 (End of 1938-39 Season)

Beginning of 1939-40 Season

P-1 Pound Foolish—Crime Doesn't Pay (20m.) Dec. 23

Paramount—One Reel

L9-1 Unusual Occupations No. 1—(10m.) Oct. 13
 V9-2 Busy Little Bears—Paragraphic (9½m.) Oct. 20
 A9-3 Moments of Charm of 1940—Head. (9½m.) Oct. 27
 D9-2 Merry Wives of Windsor—Sym. (8½m.) Oct. 27
 R9-4 A Dog Is Born—Sportlight (9½m.) Nov. 3
 E9-1 Never Sock a Baby—Popeye (5½m.) Nov. 3
 K9-2 Popular Science No. 2—(10m.) Nov. 3
 K9-3 Chile—Color Cruise (9m.) Nov. 10
 V9-3 Bits of Life—Paragraphic (10m.) Nov. 17
 L9-2 Unusual Occupations No. 2—(10m.) Nov. 17
 A9-4 Here's Hal—Headliner (9½m.) Nov. 24
 R9-5 Aqua Rhythm—Sportlight (9½m.) Nov. 24
 D9-3 William Tell—Symphonic (10m.) Nov. 24
 R9-6 Judo Experts—Sportlight (9½m.) Dec. 8
 J9-3 Popular Science No. 3 Dec. 15
 V9-4 Touchdown Review—Paragraphic (9½m.) Dec. 22
 A9-5 Frankie Masters and His Orchestra—Head. Dec. 29
 K9-4 Cuba—Color Cruise Jan. 5
 V9-5 Windward Ho—Paragraphic Jan. 19
 E9-2 Shakespearian Spinach—Popeye Jan. 19
 L9-3 Unusual Occupations No. 3 Jan. 19
 R9-7 Bowling Skill—Sportlight Jan. 26
 B9-1 Way Back When a Triangle Had Its
 Points—Stone Age Jan. 26

RKO—One Reel

04603 American Royal—Reelism (9m.) Nov. 10
 04304 Winter Playground—Sportscope (9m.) Nov. 24
 04204 Information Please—(11m.) Dec. 1
 04604 West Wall—Reelism (10m.) Dec. 8
 04305 Sky Game—Sportscope (9m.) Dec. 22

RKO—Two Reels

03502 Bandits and Ballads—Whitley (17m.) Dec. 29
 03203 Chicken Feed—Radio Flash (18m.) Jan. 19
 03403 Slightly at Sea—Kennedy (16m.) Feb. 9

NEWSWEEKLY

NEW YORK

RELEASE DATES

Universal

837 Wednesday ... Jan. 3
 838 Friday ... Jan. 5
 839 Wednesday ... Jan. 10
 840 Friday ... Jan. 12
 841 Wednesday ... Jan. 17
 842 Friday ... Jan. 19
 843 Wednesday ... Jan. 24
 844 Friday ... Jan. 26
 845 Wednesday ... Jan. 31
 846 Friday ... Feb. 2
 847 Wednesday ... Feb. 7
 848 Friday ... Feb. 9
 849 Wednesday ... Feb. 14

Fox Movietone

33 Wednesday ... Jan. 3
 34 Saturday ... Jan. 6
 35 Wednesday ... Jan. 10
 36 Saturday ... Jan. 13
 37 Wednesday ... Jan. 17
 38 Saturday ... Jan. 20
 39 Wednesday ... Jan. 24
 40 Saturday ... Jan. 27
 41 Wednesday ... Jan. 31
 42 Saturday ... Feb. 3
 43 Wednesday ... Feb. 7
 44 Saturday ... Feb. 10
 45 Wednesday ... Feb. 14

Universal—One Reel

4263 Scrambled Eggs—Lantz cartoon (8½m.) Nov. 20
 4264 The Sleeping Princess—cartoon (9m.) Dec. 4
 4374 Stranger Than Fiction No. 69—(9m.) Dec. 4
 4354 Going Places with Thomas No. 69—(8m.) Dec. 11
 4375 Stranger Than Fiction No. 70—(9m.) Dec. 18
 4355 Going Places with Thomas No. 70—(8m.) Dec. 25
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 5308 Screwball Football—Mer. Mel. (8m.) Dec. 16
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 5309 Curious Puppy—Mer. Mel. (7½m.) Dec. 30
 5504 Artie Shaw & Orch.—Mer. Mast. (9m.) Dec. 30
 5404 New Horizons—Color Parade (7½m.) Jan. 6
 5607 Porky's Last Stand—L. Tunes (6½m.) Jan. 6
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HARRISON'S REPORTS

Vol. XXII

NEW YORK, N. Y., SATURDAY, JANUARY 6, 1940

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RELEASE SCHEDULE FOR FEATURES

Columbia Features

(729 Seventh Ave., New York, N. Y.)

1032	Miracle of Main Street—Abel-Margo (68m.)	Oct. 29
1202 (1020)	The Stranger From Texas—	
	Starrett (54 min.)	Nov. 2
1013	Blondie Brings Up Baby—Singleton	Nov. 9
1007	The Amazing Mr. Williams—Blondell	Nov. 23
1030	Cafe Hostess—Foster-Dvorak (63 min.)	Nov. 30
1211	Taming of the West—Bill Elliott (55 min.)	Dec. 7
1026	Fugitive at Large—Holt-Ellis	Dec. 7
	My Son Is Guilty—Cabot-Wells	Dec. 28
1203	Two Fisted Rangers—Starrett (62 min.)	Jan. 4
	Music in My Heart—Martin-Hayworth	Jan. 10
	His Girl Friday—Grant-Russell (re.)	Jan. 18
	I Married Adventure—Mrs. Johnson (re.)	Jan. 22
	The Lone Wolf Strikes Back—William	Jan. 26
	Convicted Woman—Hudson-Ford	Jan. 31

First National Features

(321 W. 44th St., New York, N. Y.)

470	Smashing the Money Ring—Reagan-Foy, Jr.	Oct. 21
458	We Are Not Alone—Muni-Bryan-Robson	Nov. 25
464	The Return of Doctor X—Morris-Lane	Dec. 2
471	Private Detective—Wyman-Foran	Dec. 9
453	Four Wives—Lane Sisters-Rains-Lynn	Dec. 25
451	The Fighting 69th—Cagney-O'Brien	Jan. 27

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

7	Ninotchka—Garbo-Douglas	Nov. 3
11	Remember?—Taylor-Garson-Ayres-Burke	Nov. 10
13	Another Thin Man—Powell-Loy	Nov. 17
12	The Secret of Dr. Kildare—Ayres	Nov. 24
14	Joe and Ethel Turp Call on the President—	
	Sothorn-Stone-Brennan	Dec. 1
2	Henry Goes Arizona—Morgan-Weidler	Dec. 8
15	Nick Carter, Master Detective—Pidgeon	Dec. 15
16	Judge Hardy and Son—Rooney-Stone	Dec. 22
17	Balalaika—Eddy-Massey-Ruggles-Morgan	Dec. 29
18	Earl of Chicago—Montgomery-Arnold-Owen	Jan. 5
20	The Shop Around the Corner—Sullivan-Stewart-F. Morgan	Jan. 12
19	Congo Maisie—Sothorn-J. Carroll	Jan. 19
22	Lambeth Walk—Lupino Lane-Sally Gray	Jan. 26
	Strange Cargo—Gable-Crawford	Feb. 2
21	Broadway Melody of 1940—Powell-Astaire	Feb. 9
	Arouse and Beware—Beery-DelRio	Feb. 16
	Northwest Passage—Tracy-Young-Brennan	Feb. 23

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

1938-39 Season

3816	Danger Flight—John Trent	Nov. 1
	(End of 1938-39 Season)	

1939-40 Season

3923 The Phantom Strikes—Hale-Lawson Nov. 15
3951 Roll, Wagons, Roll—Ritter (52 min.) Nov. 25
3938 Yukon Flight—James Newill (57 min.) Dec. 1
West of the Divide—John Wayne reissue Dec. 10
Lucky Texan—Wayne reissue Dec. 10
3952 Westbound Stage—Ritter (56 min.) Dec. 15
3912 Gentleman From Arizona—MacDonald (re.) Dec. 25
Danger Ahead—Renfrew No. 4 Jan. 10
The Secret Four—Lee-Lawton Jan. 15
Fatal Hour—Karloff No. 1 Jan. 15
Front Page Lady—Hull-Linaker Jan. 20

Paramount Features

(1501 Broadway, New York, N. Y.)

3913 Llano Kid—Guizar-Dunn Dec. 8
3914 All Women Have Secrets—Allen, Jr. Dec. 15
3915 Gulliver's Travels—Cartoon Dec. 22
3916 The Great Victor Herbert—Jones-Martin Dec. 29
3917 Emergency Squad—Henry-Campbell Jan. 5
3918 Geronimo—Foster-Drew-Devine Jan. 12
3919 Remember the Night—Stanwyck-MacMurray Jan. 19
3956 Santa Fe Marshal—Boyd (68 min.) Jan. 26

Republic Features

(1776 Broadway, New York, N. Y.)

952 Saga of Death Valley—Rogers (58 min.) Nov. 22
962 Cowboys From Texas—Three Mesq. (57m.) Nov. 29
941 South of the Border—Gene Autry (71 min.) Dec. 15
953 Days of Jessie James—Roy Rogers (63m.) Dec. 20
916 Thou Shalt Not Kill—Bickford-Davis, Jr. Dec. 22
917 Money to Burn—J. Gleason-R. Gleason (66m.) Dec. 28

RKO Features

(1270 Sixth Ave., New York, N. Y.)

1938-39 Season

986 The Fighting Gringo—George O'Brien Sept. 8
934 Fifth Avenue Girl—Rogers-Connolly Sept. 22
946 Everything's On Ice—Dare-Kennedy Oct. 6
945 Escape to Paradise—Bobby Breen Dec. 22

(End of 1938-39 Season)

1939-40 Season

010 The Flying Deuces—Laurel-Hardy Nov. 3
081 The Marshal of Mesa City—O'Brien Nov. 3
006 Allegheny Uprising—Wayne-Trevor Nov. 10
005 Meet Dr. Christian—Jean Hersholt Nov. 17
011 That's Right, You're Wrong—Kyser-Menjou Nov. 24
008 Reno—Dix-Patrick-Louise Dec. 1
013 Two Thoroughbreds—Lydon-Kerrigan Dec. 8
015 The Hunchback of Notre Dame—Laughton Dec. 29
082 Legion of the Lawless—George O'Brien Jan. 5
016 Mexican Spitfire—Velez-Wood-Errol Jan. 12
014 Married and in Love—Marshal-Read Jan. 19
(061 "Queen of Destiny," listed in the last Index as a November 3 release, has been postponed)

Twentieth Century-Fox Features

(444 W. 56th St., New York, N. Y.)

024 The Honeymoon's Over—Erwin-Weaver Dec. 15
029 Everything Happens at Night—Henie Dec. 22
012 The Cisco Kid and the Lady—Romero Dec. 29
017 Swanee River—Ameche-Leeds-Jolson Jan. 5
027 City of Chance—Bari-Woods-Smith Jan. 12
023 He Married His Wife—McCrea-Kelly Jan. 19
028 High School—Withers-Brown, Jr. Jan. 26
030 The Man Who Wouldn't Talk—Nolan-Rogers. Feb. 2
031 Little Old New York—Faye-MacMurray Feb. 9
032 The Jones Family in Young as You Feel—
Prouty-Byington Feb. 16
033 They Came by Night—Fyffe-Hulme Feb. 23
(025 "The Blue Bird," listed in the last Index as a December 22 release, has been postponed to March 22.)

United Artists Features

(729 Seventh Ave., New York, N. Y.)

The Real Glory—Cooper-Leeds-Niven-Owen Sept. 29
Eternally Yours—L. Young-D. Niven (re.) Oct. 12
The Housekeeper's Daughter—J. Bennett-Menjou. Oct. 26
Slightly Honorable (City for Sale)—Pat O'Brien—
Ruth Terry (reset) Dec. 22
Raffles—Niven-DeHavilland Dec. 29
Rebecca—L. Olivier-J. Fontaine Jan. 19

Universal Features

(1250 Sixth Ave., New York, N. Y.)

1938-39 Season

A3002 First Love—Durbin-Pallette Nov. 10
(End of 1938-39 Season)

Beginning of 1939-40 Season

4051 Mutiny on the Black Hawk—Arlen-Devine Sept. 1
4010 The Under-Pup—Cummings-Grey Sept. 1
4044 The Mikado—Kenny Baker Sept. 8
4058 (4059) Desperate Trails—Brown (58m.) Sept. 8
4024 Hawaiian Nights—Downs-Carlisle Sept. 8
4017 Two Bright Boys—Cooper-Bartholomew Sept. 15
4027 The Witness Vanishes—Lowe-Barrie Sept. 22
4014 Rio—Gurie-Rathbone-Cummings Sept. 29
4073 All Quiet on the Western Front—Reissue
(93 min.) Sept. 29
4035 Hero for a Day—Louise-Foran-Grapewin Oct. 6
4052 Tropic Fury—Arlen-Devine Oct. 13
4059 Oklahoma Frontier—Brown (58 min.) Oct. 20
4019 Little Accident—Sandy-Herbert Oct. 27
4074 The Road Back—Reissue (79 min.) Nov. 3
4020 Call a Messenger—Carlisle-Armstrong Nov. 3
4053 Legion of Lost Flyers—Arlen-Devine Nov. 3
4030 One Hour to Live—Bickford-Nolan Nov. 10
4012 Tower of London—Karloff-Rathbone Nov. 17
4016 The Big Guy—McLaglen-Cooper (re.) Nov. 24
4060 Chip of the Flying U—Brown-Baker (55m.) Nov. 24
4026 Laugh It Off—Downs-Moore Dec. 1
4054 Man From Montreal—Arlen-Devine-Sutton. Dec. 8
4028 Missing Evidence—Foster-Hervey Dec. 15
Charlie McCarthy, Detective—Bergen Dec. 22
4002 Destry Rides Again—Dietrich-Stewart Dec. 29
Oh Johnny How You Can Love—
Brown-Moran Jan. 5
The Invisible Man Returns—Hardwicke-
Price-Grey (reset) Jan. 12
4061 West of Carson City—Brown (55m.) (re.) Jan. 19
Green Hell—Fairbanks, Jr.-J. Bennett (re.) Jan. 26
Danger on Wheels—Arlen-Devine Feb. 2

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

402 The Private Lives of Elizabeth and Essex—
Davis-Flynn-DeHavilland Nov. 11
413 "Dead End" Kids on Dress Parade—Litel Nov. 18
408 Invisible Stripes—Raft-Bryan-Holden Dec. 30
415 A Child Is Born—Fitzgerald-Lynn-George Jan. 6
Brother Rat and a Baby—Lane-Bryan-Morris. Jan. 13
416 British Intelligence—Karloff-Lindsay Jan. 20

(*"The Mad Empress,"* listed in the last Index as No. 420, release date December 16, has now been given No. 481 and is listed as a Vitagraph release, same release date)

SHORT SUBJECT RELEASE SCHEDULE

Columbia—One Reel

1503 Dreams on Ice—Color Rhapsody (6½m.) Oct. 20
1852 Screen Snapshots No. 2—(10m.) Oct. 27
1552 Modern Cities of India—Tours (10m.) Oct. 27
1802 Jai-Alai—World of Sports (7½m.) Nov. 3
1504 Mountain Ears—Color Rhapsody (7½m.) Nov. 3
1654 Community Sing No. 4—(10½m.) Nov. 17
1553 Beautiful Switzerland—Tours (10m.) Nov. 17
1853 Screen Snapshots No. 3—(10m.) Nov. 24
1702 Millionaire Hobo—Phantasy (7m.) Nov. 24
1505 Mother Goose in Swing Time—C. Rhapsody. Dec. 8
1752 Park Your Baby—Fables (6m.) Dec. 22
1554 Life in Paris—Tours Dec. 22
1971 World of 1960—Futurama—Cinescopes Dec. 22
1655 Community Sing No. 5 Dec. 29
1803 Flying Targets—World of Sport Dec. 29
1902 U. S. Treasury—Wash. Parade No. 2 Dec. 29
1854 Screen Snapshots No. 4 Jan. 5
1506 A Boy, a Gun and Birds—Col. Rhapsody (7½m.) Jan. 12
1703 The Mouse Exterminator—Phantasy (6½m.) Jan. 26
1555 New Hampshire—Tours Jan. 26

Columbia—Two Reels

1938-39 Season

9173 Terror in the Night—Overland #13 (17½m.) Oct. 13
 9174 Crumbling Walls—Overland #14 (18½m.) Oct. 20
 9175 Unmasked—Overland #15 (16m.) Oct. 27
 (End of 1938-39 Season)

1939-40 Season

1424 Teacher's Pest—C. Chase (16m.) Nov. 3
 1425 Glove Slingers—All Star (18m.) (re.) Nov. 24
 1403 Three Sappy People—Stooges (17m.) Dec. 1
 1426 Andy Clyde Gets Spring Chicken—
 Clyde (18m.) Dec. 15
 1427 The Awful Goof—C. Chase (17m.) Dec. 22
 1404 Rocking the Rockies—Three Stooges Jan. 5
 1141 The Doomed City—The Shadow No. 1 Jan. 5
 1142 The Shadow Attacks—Shadow No. 2 Jan. 12
 1428 Nothing But Pleasure—Keaton Jan. 19

Metro-Goldwyn-Mayer—One Reel

1938-39 Season

S-913 Set 'Em Up—Pete Smith (10m.) Oct. 7
 W-891 The Blue Danube—cartoons (7m.) Dec. 16
 (End of 1938-39 Season)

1939-40 Season

T-53 Quaint St. Augustine—Travel. (9m.) Nov. 4
 S-102 Ski Birds—Pete Smith (8m.) Nov. 18
 M-74 Mendelssohn's Wed. March—Min. (8m.) Nov. 4
 T-54 Valiant Venezuela—Traveltalks (9m.) Nov. 25
 C-133 Time Out for Lessons—Our Gang (11m.) Dec. 2
 K-121 Forgotten Victory—P. Parade (11m.) Dec. 9
 S-103 Romance of the Potato—Smith (9m.) Dec. 9
 W-81 Peace on Earth—Cartoons (9m.) Dec. 9
 F-142 See Your Doctor—Benchley (8m.) Dec. 16
 T-55 Land of Alaska Nellie—Travel. (9m.) Dec. 23
 T-56 Old Natchez—Traveltalks (9m.) Dec. 30
 M-75 Miracle at Lourdes—Miniatures (11m.) Dec. 30
 W-82 The Mad Maestro—Cartoons (8m.) Dec. 30
 M-76 Where Turf Meets Surf—Miniatures Jan. 6
 F-143 That Inferior Feeling—Benchley (9m.) Jan. 20

Metro-Goldwyn-Mayer—Two Reels

1938-39 Season

P-816 Drunk Driving—Crime Doesn't Pay (21m.) Oct. 28
 (End of 1938-39 Season)

Beginning of 1939-40 Season

P-1 Pound Foolish—Crime Doesn't Pay (20m.) Dec. 23

Paramount—One Reel

L9-1 Unusual Occupations No. 1—(10m.) Oct. 13
 V9-2 Busy Little Bears—Paragaphic (9½m.) Oct. 20
 A9-3 Moments of Charm of 1940—Head. (9½m.) Oct. 27
 D9-2 Merry Wives of Windsor—Sym. (8½m.) Oct. 27
 R9-4 A Dog Is Born—Sportlight (9½m.) Nov. 3
 E9-1 Never Sock a Baby—Popeye (5½m.) Nov. 3
 K9-2 Popular Science No. 2—(10m.) Nov. 3
 K9-3 Chile—Color Cruise (9m.) Nov. 10
 V9-3 Bits of Life—Paragaphic (10m.) Nov. 17
 L9-2 Unusual Occupations No. 2—(10m.) Nov. 17
 A9-4 Here's Hal—Headliner (9½m.) Nov. 24
 R9-5 Aqua Rhythm—Sportlight (9½m.) Nov. 24
 D9-3 William Tell—Symphonic (10m.) Nov. 24
 R9-6 Judo Experts—Sportlight (9½m.) Dec. 8
 J9-3 Popular Science No. 3 Dec. 15
 V9-4 Touchdown Review—Paragaphic (9½m.) Dec. 22
 A9-5 Frankie Masters and His Orchestra—Head. Dec. 29
 K9-4 Cuba—Color Cruise Jan. 5
 V9-5 Windward Ho—Paragaphic Jan. 19
 E9-2 Shakespearian Spinach—Popeye Jan. 19
 L9-3 Unusual Occupations No. 3 Jan. 19
 R9-7 Bowling Skill—Sportlight Jan. 26
 B9-1 Way Back When a Triangle Had Its
 Points—Stone Age Jan. 26

RKO—One Reel

04603 American Royal—Reelism (9m.) Nov. 10
 04304 Winter Playground—Sportscope (9m.) Nov. 24
 04204 Information Please—(11m.) Dec. 1
 04604 West Wall—Reelism (10m.) Dec. 8
 04305 Sky Game—Sportscope (9m.) Dec. 22

RKO—Two Reels

03502 Bandits and Ballads—Whitley (17m.) Dec. 29
 03203 Chicken Feed—Radio Flash (18m.) Jan. 19
 03403 Slightly at Sea—Kennedy (16m.) Feb. 9

Twentieth Century-Fox—One Reel

0504 One Mouse in a Million—Terry-Toon (7m.) Nov. 3
 0103 The Aghileen Pinnacles—Father Hubbard
 and Lowell Thomas (11m.) Nov. 10
 0554 Wicky-Wacky Romance—Terry-T. (7m.) Nov. 17
 0302 Clocking the Jockeys—Sports (11m.) Nov. 24
 0505 The Hitch-Hiker—Terry-Toon (7m.) Dec. 1
 0203 Sky Fighters—Adv. News Camera. (11m.) Dec. 8
 0506 The Ice Pond—Terry-Toon (7m.) Dec. 15
 0602 Fashion Forecasts No. 6 Dec. 22
 0555 The First Robin—Terry-Toon (7m.) Dec. 29
 0402 The Silly Season—Lew Lehr (10m.) (re.) Jan. 5
 0507 A Dog in a Mansion—Terry-Toon Jan. 12
 0303 Topnotch Tennis—Sports Jan. 19
 0508 Edgar Runs Again—Terry-Toon Jan. 26
 0104 The Kangaroo Country—Thomas (10m.) Feb. 2
 0556 Harvest Time—Terry-Toon Feb. 9
 0105 The Valley of 10,000 Smokes—Father
 Hubbard and Lowell Thomas (10m.) Feb. 16

Universal—One Reel

4263 Scrambled Eggs—Lantz cartoon (8½m.) Nov. 20
 4204 The Sleeping Princess—cartoon (9m.) Dec. 4
 4374 Stranger Than Fiction No. 69—(9m.) Dec. 4
 4354 Going Places with Thomas No. 69—(8m.) Dec. 11
 4375 Stranger Than Fiction No. 70—(9m.) Dec. 18
 4355 Going Places with Thomas No. 70—(8m.) Dec. 25
 4376 Stranger Than Fiction No. 71—(9m.) Jan. 8
 4356 Going Places with Thomas No. 71—(9m.) Jan. 15
 4265 Andy, Panda Gocs Fishing—cartoon (8m.) Jan. 22
 4377 Stranger Than Fiction No. 72 Jan. 29

Universal—Two Reels

4688 Trapped in Flames—Phantom No. 8 (19m.) Dec. 5
 4689 Speeding Doom—Phantom No. 9 (18m.) Dec. 12
 4224 Snow Follies—musical (18m.) Dec. 13
 4690 Phantom Footprints—Phan. No. 10 (19m.) Dec. 19
 4691 The Blast—Phantom No. 11 (20m.) Dec. 26
 4692 To Destroy the World—Phan. No. 12 (18m.) Jan. 2
 4781 The Tunnel of Terror—Green Hornet
 No. 1 (21m.) Jan. 9

No. 2 (21m.) Jan. 16
 4782 Thundering Terror—Hornet No. 2 (21m.) Jan. 16
 4225 Rhythm Jamboree—musical Jan. 17
 4783 Flying Coffins—Hornet No. 3 (21m.) Jan. 23
 4784 Pillar of Flame—Hornet No. 4 (19m.) Jan. 30

Vitaphone—One Reel

5605 Porky the Giant Killer—Looney T. (8m.) Nov. 18
 5307 Sniffles and Bookworm—Mer. Mel. (8m.) Dec. 2
 5403 Mechanix Illustrated #2—Col. Par. (9m.) Dec. 2
 5308 Screwball Football—Mer. Mel. (8m.) Dec. 16
 5606 The Film Fan—Looney Tunes (7m.) Dec. 16
 5309 Curious Puppy—Mer. Mel. (7½m.) Dec. 30
 5504 Artie Shaw & Orch.—Mer. Mast. (9m.) Dec. 30
 5404 New Horizons—Color Parade (7½m.) Jan. 6
 5607 Porky's Last Stand—L. Tunes (6½m.) Jan. 6
 5310 Early Worm Gets Bird—Mer. Melodies Jan. 13
 5703 An Organ Novelty—Varieties (9m.) Jan. 13
 5608 Africa Squeaks—Looney Tunes Jan. 27
 5311 Mighty Hunters—Merrie Melodies Jan. 27

Vitaphone—Two Reels

5002 Royal Rodeo—Technicolor (15m.) Nov. 25
 5104 World's Fair, Jr.—Bway. Brev. (20m.) Dec. 9
 5003 Old Hickory—Technicolor (17m.) Dec. 23
 5101 Remember When—Bway. Brevities Jan. 20
 5105 One For the Book—Bway. Brevities Feb. 3

NEWSWEEKLY

NEW YORK

RELEASE DATES

Universal

837 Wednesday Jan. 3
 838 Friday Jan. 5
 839 Wednesday Jan. 10
 840 Friday Jan. 12
 841 Wednesday Jan. 17
 842 Friday Jan. 19
 843 Wednesday Jan. 24
 844 Friday Jan. 26
 845 Wednesday Jan. 31
 846 Friday Feb. 2
 847 Wednesday Feb. 7
 848 Friday Feb. 9
 849 Wednesday Feb. 14

Fox Movietone

33 Wednesday Jan. 3
 34 Saturday Jan. 6
 35 Wednesday Jan. 10
 36 Saturday Jan. 13
 37 Wednesday Jan. 17
 38 Saturday Jan. 20
 39 Wednesday Jan. 24
 40 Saturday Jan. 27
 41 Wednesday Jan. 31
 42 Saturday Feb. 3
 43 Wednesday Feb. 7
 44 Saturday Feb. 10
 45 Wednesday Feb. 14

Paramount News

36 Wednesday Jan. 3
 37 Saturday Jan. 6
 38 Wednesday Jan. 10
 39 Saturday Jan. 13
 40 Wednesday Jan. 17
 41 Saturday Jan. 20
 42 Wednesday Jan. 24
 43 Saturday Jan. 27
 44 Wednesday Jan. 31
 45 Saturday Feb. 3
 46 Wednesday Feb. 7
 47 Saturday Feb. 10
 48 Wednesday Feb. 14

Metrotone News

231 Tuesday Jan. 2
 232 Thursday Jan. 4
 233 Tuesday Jan. 9
 234 Thursday Jan. 11
 235 Tuesday Jan. 16
 236 Thursday Jan. 18
 237 Tuesday Jan. 23
 238 Thursday Jan. 25
 239 Tuesday Jan. 30
 240 Thursday Feb. 1
 241 Tuesday Feb. 6
 242 Thursday Feb. 8
 243 Tuesday Feb. 13

Pathé News

05248 Wed. (E) Jan. 3
 05149 Sat. (O) Jan. 6
 05250 Wed. (E) Jan. 10
 05151 Sat. (O) Jan. 13
 05252 Wed. (E) Jan. 17
 05153 Sat. (O) Jan. 20
 05254 Wed. (E) Jan. 24
 05155 Sat. (O) Jan. 27
 05256 Wed. (E) Jan. 31
 05157 Sat. (O) Feb. 3
 05258 Wed. (E) Feb. 7
 05159 Sat. (O) Feb. 10
 05260 Wed. (E) Feb. 14

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Vol. XXII

SATURDAY, JANUARY 13, 1940

No. 2

LET THOSE PRODUCERS WHO HAVE EARS TO HEAR LISTEN WELL

According to *Boxoffice* of January 6, the majors are now ready to accept a consent decree on everything except theatre divorce.

From the tone of the different statements issued by Mr. Thurman Arnold, Assistant Attorney General in charge of the Anti-Trust Division in the Department of Justice, it is hardly likely that the Government will accept a half-line consent decree; but whatever sort of decree the government will accept it will certainly not be of the old kind: it must protect public rights, and must bring relief to competitors. This is the interpretation one may make from Mr. Arnold's annual report, which did not refer particularly to the picture business. Mr. Arnold said:

"Last year, the department announced a method of giving approval to voluntary plans of practices which are essential for efficient production and distribution of goods.

"Any such plan must meet the following requirements: first, it must be addressed to the problems of a particular industry; second, it must be given for a limited period and subject to constant check; third, there must be machinery to penalize the abuse of the position created by such approval; and fourth, that approval must be in a form which will permit ready reference to Congress, in order that the policy of the department may be under constant scrutiny. Such approval can only be given by judicial decree in a civil proceeding which may be used concurrently with a criminal prosecution.

"The limitations on using these proceedings concurrently were announced as follows:

"The proposal for a consent decree must be voluntary, which means that the department will in no instance start negotiations or suggest compromises on the basis of which prosecution would be dropped.

"It will not compromise criminal cases on the mere promise to reform. It will accept only proposals which will establish competitive conditions on a more certain and secure basis than might be achieved by further prosecution.

"It will submit all such proposals to an impartial judicial tribunal and thus be guided by the judgment of the court before it takes final action.

"It will issue a public statement giving the reasons for its action.

"At all times, the test of whether a consent decree should be accepted must be whether it will benefit the public, not whether it will give relief to the department. Only where it appears that the consent decree will yield more constructive results for the consuming public, for employees, and for competitors, than the eventual criminal punishment of the offenders, will proposals for such a decree be entertained."

If this statement, made for all industries, should be coupled with the recent statement of Mr. Arnold's, made for this particular industry, and referring to the producer propaganda that the government suit now pending in the District Court for the Southern District of New York against the major companies will never be tried, should set the minds of all independent theatre owners at rest as to the intentions of the U. S. Government. The new head at the Department of Justice should prove of benefit to the exhibitors, if anything, for Mr. Jackson's feelings toward the independent exhibitors are already known, and known well.

NATIONAL SCREEN SERVICE'S DEAL WITH PARAMOUNT GOOD CHRISTMAS PRESENT

The deal whereby Paramount, not only continues to let National Screen Service handle its trailers, but also turns its accessory business over to it, was closed on Christmas Eve, and may be considered by the independent exhibitors as a good Christmas present, if we are to judge by the congratulatory telegrams that were sent to Mr. Herman Robbins, president of National Screen Service, by exhibitor leaders of all affiliations.

Mr. Abram F. Myers, general counsel of Allied States Association, said to Mr. Robbins partly: ". . . Allied has often expressed concern at the entrance of distributors into the trailer business and the coupling of trailers with necessary supplies of feature pictures. . . . Personally and in behalf of the Allied directors I congratulate you on this happy outcome of your negotiations. In addition I congratulate the responsible officers of Paramount on their vision in continuing relations with a company that has served the exhibitors and the industry so well. . . . We hope that other distributors now in the trailer business will see the wisdom of following a like course. . . ."

Dynamic Al Steffes wired partly as follows: ". . . Allow me to congratulate you on the completion of this deal. . . . Paramount is also to be congratulated. There is no question but this deal will work out advantageously to the theatre owners of the country inasmuch as National Screen has always been very, very fair in their dealings with exhibitors. I am positive when the announcement is made it will meet with spontaneous approval by every theatre owner in the country. . . ."

Col. H. A. Cole, president of Allied, wired partly as follows: ". . . Congratulations . . . on the deal just consummated. . . . While distribution of paper by your company is new, I am hopeful it will be productive of improved service and lesser cost. . . ."

Max Cohen, of the New York State exhibitor organization, wired partly as follows: "Paramount's . . . is a most commendable move. . . . National Screen can always be assured of my continued support to their newest baby, Advertising Accessories, Inc. . . ."

Harry Brandt, of I.T.O.A., wired partly as follows: "National Screen has always served exhibitors with progressively good screen advertising at reasonably low rates. Inclusion of accessories under same principle used in trailer distribution should mean a wider range of lobby accessory service concentrated in one source. . . . congratulations again. . . ."

Ed. Kuykendall, president of M.P.T.O.A., wrote to Mr. Robbins partly as follows: ". . . I congratulate National Screen Service. . . . Most exhibitors that I have contacted . . . are of the opinion that centralized handling of Comin' Attractions Trailers would be much more beneficial to them, than to be forced to buy trailers from various sources. . . . a highly specialized organization to supply all advertising matter on all products could not help but be beneficial to exhibitors. . . ."

How has it come for National Screen Service to be so highly esteemed by the exhibitors? One certainly cannot buy good will! It is because of fair dealing! In all the years that National Screen has been in business, it has never failed to right a wrong to an exhibitor whenever its attention has been called to one. And the wrongs to which

(Continued on last page)

"The Earl of Chicago" with Robert Montgomery and Edward Arnold

(MGM, January 5; time, 86 min.)

Audiences that are looking for something novel may find this melodrama extremely interesting. It holds one's attention throughout, for the ending is not obvious. Although its appeal may be directed more to class audiences than to the masses, it may draw to the box-office also the masses because of the attractive title. Robert Montgomery, in the part of a super-egotistical gangster, gives a good performance, although at times he tends to overplay it. The finest performance is given by Edmund Gwenn, in the part of an English butler, who teaches Montgomery something about tradition and courage. There is no romance; as a matter of fact, with the exception of a few bit parts, no women appear in the cast:—

Montgomery, former gangster, now running a successful distillery business in which he used his old pressure methods to obtain business, induces Edward Arnold, his former lawyer, who had just been released from prison where he had served a term for a crime framed by Montgomery, to act as his business manager. When Montgomery learns that he was next in line to inherit an English earldom, he insists that Arnold accompany him to England to help him "collect" his inheritance. Upon arrival in England, Arnold learns that, according to law, Montgomery could not dispose of his inheritance, but had to live in England on the income. He does not inform Montgomery of this; instead, he leads him to believe that he was attending to the liquidation of the estate, which would amount to \$10,000,000. In the meantime, Arnold, by means of a forged power of attorney, conducts Montgomery's business in Chicago by cable and brings it into bankruptcy. He finally confronts Montgomery with the facts, and, knowing that Montgomery was afraid of guns, dares him to shoot him. Embittered, Montgomery does shoot and kill him. He is arrested, tried by the peers, and is sentenced to be hung. Gwenn, his butler, prepares him for his death and pleads with him not to let him down by acting as if he were afraid. Montgomery goes to his death like a nobleman.

Charles deGrandcourt and Gene Fowler adapted the story from the book by Brock Williams. Lesser Samuels wrote the screen play; Richard Thorpe directed it, and Victor Saville produced it. In the cast are Reginald Owen, E. E. Clive, Ronald Sinclair, and others.

The murder makes it unsuitable for children. Fare for adolescents and adults. Class B.

"Brother Rat and a Baby" with Wayne Morris, Priscilla Lane and Eddie Albert

(Warner Bros., January 13; time, 86 min.)

This sequel to "Brother Rat" hasn't much to offer in the way of a story; nevertheless audiences should be entertained fairly well, for the action is fast and the situations, although far-fetched, pretty amusing. Except for the opening scene at the military academy, none of the action takes place there. Instead, it follows up events in the lives of the three young men—Wayne Morris, Eddie Albert, and Ronald Reagan—who had first appeared in "Brother Rat" and had graduated. Most of the laughter is provoked by the mixups Morris gets every one into in his desire to be of help to others. The three romances are carried on by the same players where they had been left off in "Brother Rat":

When Morris learns that Albert was being considered for the position of coach at the school from which they had graduated, he suggests to Reagan that they send for Albert and his family, for he felt that would make an impression on his father, with whom the decision rested. Albert leaves with his wife (Jane Bryan) and his baby by bus for New York. The baby swallows a ring one of the passengers had given him to play with; she demands \$200 for it. Having only \$15, Albert gives that to her and is compelled to leave his wife and baby with the police until he could get the balance of the money. He arrives at the apartment of his wife's wealthy aunt (Nana Bryant), but both she and her husband were about to rush away to catch a plane for a business trip. Miss Bryant's husband leaves \$200 with Albert to pay for a package he was expecting. Morris induces him to use the money to bring Miss Bryan and the baby to New York; he tells him that as soon as the ring

appears they would sell it and replace the money. But when the ring finally does appear and is appraised they find it was worth only ten cents. Their troubles then begin. To add to everything, Priscilla Lane and Jane Wyman arrive and want to be taken places. Even though both he and Reagan had no money, Morris invites them out. The bill is finally paid by a wealthy friend of Miss Lane's, who had been following her around. By leaving a valuable violin belonging to Miss Bryant as security with a taxi driver, Morris gets Albert into more trouble. Miss Lane finally solves everything: She returns the ticket her father had bought for her to go to Honolulu. With the money she is able to pay off every one. But Albert does not get the job. Instead, when Miss Bryant and her husband return, they offer him a commercial job with their concern, which he gladly accepts.

Fred F. Finkelhoffe and John Monks, Jr., wrote the story, and Richard Macauley and Jerry Wald, the screen play; Ray Enright directed it, and Hal Wallis produced it, with Robert Lord as associate producer. In the cast are Larry Williams, Henry O'Neil, Berton Churchill, and others.

Suitability, Class A.

"The Fighting 69th" with James Cagney, Pat O'Brien and George Brent

(First National, January 27; time, 90 min.)

A virile war melodrama, with plentiful comedy. Even though the plot is not novel, the picture holds one's attention throughout due to the excellent performances. Most of the comedy occurs during the first half; also during that half the characters are established. All the drama and excitement is concentrated in the second half. The war scenes, showing hand-to-hand combats between the soldiers, and the large scale battles, are so realistic that they send shudders down one's spine. It is during those battles that the bravery of individual characters is stressed. But war is not glorified; as a matter of fact, the picture is an indictment against war, without resorting to preaching. The picture may exert a stronger appeal for men than for women, for there is no romance. Pat O'Brien, appearing as "Father Duffy," handles the religious angle in a natural and appealing way. The action takes place during the World War:—

Jerry Plunkett (James Cagney), a tough character, joins the 69th Division, known as "The Fighting 69th." He is completely sure of himself, and boasts that as soon as he arrived in France, he would show every one what real fighting was. He becomes the most disliked man in the Division, and is especially obnoxious to Sergeant Wynn (Alan Hale). Colonel Donovan (George Brent) and the men of his staff work hard drilling the new recruits. Father Duffy questions the advisability of driving the men so hard, but Donovan explains that he was doing it for their own protection, for they were going to come up against seasoned fighters. Once in France and at the front, Plunkett changes from the braggart to a coward. An act on his part in which he went against regulations brings a volley of fire from the enemy lines and causes the death of many men. Donovan gets men together for a surprise attack on the German machine gun nest. He taunts Plunkett into joining. But Plunkett becomes so frightened that he screams and gives their hiding place away; most of the men are killed. Plunkett is arrested and held for execution. Father Duffy, who had tried to win him over to religion, offers him spiritual help but Plunkett orders him out. That night, the Germans start shelling the village. Plunkett is in a position to run away; instead, moved by what Father Duffy had told him, he runs to the fighting lines. Fear is forgotten. He risks his life to fire through the German lines, breaking down the barbed wires, thus enabling Donovan and his men to rush through to victory. Plunkett is wounded, but dies happy in the thought that he had redeemed himself. The men of the 69th salute him as a hero.

Norman Reilly Raine, Fred Niblo, Jr., and Dean Franklin wrote the original screen play; William Keighley directed it, and Hal B. Wallis produced it, with Lou F. Edelman as associate producer. In the cast are Jeffrey Lynn, Frank McHugh, Dennis Morgan, Dick Foran, William Lundigan, and others.

Suitability, Class A.

"Of Mice and Men," United Artists, produced artistically, but a picture only for the few. Review next week.

"The Invisible Man Returns" with Sir Cedric Hardwicke, Nan Grey and Vincent Price

(Universal, January 12; time, 81 min.)

Although not as good as the first "Invisible Man" picture, this melodrama offers enough novelty, excitement, and even comedy to please the action fans. Those who saw the first picture will naturally find it less exciting, for to them all the mechanical tricks will seem but repetitious, and it was those very tricks that made the first picture so unusual. Nevertheless the action is fast; and, in spite of the fact that the story is far-fetched, it holds one in suspense. The romance is incidental:—

Knowing that there was no hope of winning a pardon for Vincent Price, who had been convicted of murdering his brother and had been sentenced to die, Nan Grey, his fiancee, and John Sutton, his friend, take the only chance they knew to free him. Sutton, a physician, who had the formula discovered and used by his brother, also a physician, to make a man invisible, decides to use it on Price, even though his own brother had died from the effects of the drug. Price's disappearance from prison naturally bewilders the authorities. But Cecil Kellaway, Scotland Yard inspector, upon searching police records, learns of the formula and realizes what Sutton had done. He starts his search for Price. In his invisible state, Price is able to investigate matters without being detected. He discovers that his cousin (Sir Cedric Hardwicke) had committed the murder and had then framed him, his purpose being to inherit their wealth. In the meantime, Sutton works frantically to perfect a formula with which to bring Price back to visibility before the drug would affect his brain. Price, in his invisible state, confronts Hardwicke and tries to force a confession out of him; but the police interrupt him. He finally corners Hardwicke, and, in the presence of the police, forces Hardwicke to confess. But Price is wounded. Sutton gives him a blood transfusion. To his joy, the blood acts as the formula to bring Price back to normalcy. Price and Miss Grey are reunited.

Joe May and Kurt Siodmak wrote the story, and Kurt Siodmak, Lester Cole, and Cedric Belfrage, the screen play; Joe May directed it, and Ken Goldsmith produced it. In the cast are Alan Napier, and others.

Children may be frightened; otherwise suitable for all. Class A.

"Music in My Heart" with Tony Martin and Rita Hayworth

(Columbia, January 10; time, 69½ min.)

Just a moderately entertaining program comedy with music. The trite story is developed in so obvious a way that one becomes bored by the time the picture is half finished. Tony Martin's present popularity as a radio singer may help draw patrons to the box-office, but those who will see it certainly will not recommend it very highly. The musical interludes are pleasant, but they are not strong enough to carry the picture. There is a routine romance:—

Tony Martin, a singer, is ordered by the Immigration Department to leave the country since he was not a citizen and his temporary permit had expired. On his way to the boat, where the immigration officials were waiting for him, his taxicab collides with another taxicab. The passenger in the other cab (Rita Hayworth) was on her way to the same boat, there to meet and marry her wealthy fiance (Alan Mowbray). But they both miss the boat. Miss Hayworth, after hearing about Martin's predicament, takes him to her home. Although poor, she and her sister (Edith Fellows) were surrounded by many friends who made life pleasant for them. In a few days Martin and Miss Hayworth are in love with each other. But Mowbray's butler (Eric Blore) thinks of a way of breaking the match. Through a trick, he leads Miss Hayworth to believe that Martin was married and the father of three children. Angry, she visits Mowbray and agrees to marry him. But Mowbray finds out the truth, and, being honorable, adjusts everything. He helps Martin out by adopting him, thus giving him citizenship rights. Martin makes a hit over the radio. His success enables him to marry Miss Hayworth.

James Edward Grant wrote the story and screen play; Joseph Santley directed it, and Irving Starr produced it. In the cast are George Tobias, Joseph Crehan, George Humbert, Andre Kostelanetz and his orchestra, and others.

Suitability. Class A.

"Slightly Honorable" with Pat O'Brien, Edward Arnold and Ruth Terry

(United Artists, December 22; time, 84 min.)

This murder mystery melodrama offers such a hodge-podge of nonsense that even the most ardent follower of stories of this type will fail to be entertained. The story is so mixed up that it is difficult for one to follow the action. Even the dialogue, which is made up mostly of slang expressions and wise-cracks, seems muddled. In spite of the fact that the performers try hard, only one character stands out—the part played by Ruth Terry, a newcomer, who, as a scatter-brained chorus girl, provokes laughter on several occasions. It definitely is not a small-town picture, for audiences won't know what it is all about:—

Pat O'Brien, a lawyer, and his partner (Broderick Crawford), try to fight the corrupt political machine run by Edward Arnold. They are particularly interested in getting the State Legislature to pass an amendment to the highway bill, making it possible for other concerns besides Arnold's to bid for the work. Claire Dodd, who had deserted her husband to have an affair with Arnold, invites O'Brien, whom she had once known and loved, to her apartment. When he arrives there he finds her murdered. O'Brien is suspected, and Arnold tries to have the murder pinned on him, while O'Brien in turn tries to prove that Arnold had committed the murder. Another murder follows—O'Brien's secretary (Eve Arden) is found stabbed. The knife used in both murders appears and disappears strangely from O'Brien's desk. After many hectic adventures, during which O'Brien becomes even more deeply involved, he finally discovers that Crawford himself was the murderer. In a fight that ensues, Crawford throws the knife, but it gets stuck in the seat of the chair that O'Brien used as a shield. Later Crawford falls on the knife and dies. Cleared of the charge, O'Brien turns his attention to Miss Terry, a young chorus girl who had fallen in love with him and had followed him around.

The plot was adapted from the novel "Send Another Coffin," by F. G. Presnell. Tay Garnett directed it, and Walter Wanger produced it. In the cast are Alan Dinehart, Phyllis Brooks, Douglas Fowley, and others.

Unsuitable for children or adolescents. Adult fare. Class B.

"Oh, Johnny, How You Can Love" with Tom Brown and Peggy Moran

(Universal, January 5; time, 63 min.)

A pleasant program comedy with incidental music. There's not much to the story; but, since it moves at a fairly fast pace, and is acted engagingly by the two leading players, it keeps one entertained. Towards the end the action becomes somewhat slapstick, but it is amusing enough to provoke laughter. The romance is routine:—

While on her way to New York City in her roadster, Peggy Moran collides with the truck driven by Tom Brown. She threatens to sue Brown unless he would drive her to New York, for her car was a wreck. She confides in him by telling him she was on her way to meet a young man with whom she intended to elope. Brown, knowing the man she had mentioned, tries to persuade her not to marry him, for he himself had become interested in her. While on their way, they are caught between a police car and a car driven by gangsters; both Brown and Miss Moran narrowly escape being shot. One of the crooks (Allen Jenkins) escapes and forces Brown, at the point of a gun, to turn the truck around and head for Canada. They are compelled to stop because of defective brakes; they take a cottage at an auto camp while the car is being repaired. In the meantime, Brown discovers that Miss Moran was the missing daughter of a prominent banker. Eager for her not to get to New York, he leads Jenkins to believe that he was a crook and that he intended holding Miss Moran for ransom. Things become really complicated when Jenkins' pals arrive and want their share of the ransom money. Brown and Miss Moran are able to overpower the crooks by making use of various gadgets that had been installed in the cottage by the owner of the camp. The police arrive in time to arrest the crooks. By this time Miss Moran is in love with Brown and decides to marry him instead of the other man.

Arthur T. Hornman wrote the screen play, Charles Lamont directed it, and Ken Goldsmith produced it. In the cast are Juanita Quigley, Donald Meek, Isabel Jewell, Horace McMahon, and others.

Suitability, Class A.

this paper has called its attention to have been very, very few.

Few exhibitors realize the immensity of National Screen's new undertaking—distribution of paper and accessories. The proof of it is that hardly a single film company makes money on its paper—almost all are losing money; for the waste is enormous: Paper must be ordered for each picture to take care of each exhibitor's needs. If the picture flops, thousands of dollars worth of paper rots in the racks of the exchanges and in the warehouses of the home office. The same is true of the other advertising accessories. Yet National Screen has dared it, feeling that the exhibitors themselves will help it make the new enterprise successful. If it does, the exhibitors know that it will adopt the same procedure that it adopted after it made its trailer business successful—reduce costs. Today the exhibitors pay for trailers one-half of what they paid when National Screen started in the trailer business.

HARRISON'S REPORTS takes this opportunity of congratulating Paramount, particularly Mr. Neil Agnew, who has been the important factor, for the closing of this deal.

And now that this matter has been disposed of and the exhibitors have been saved from another increase in their cost of trailer service, how about a deal between Warner Bros. and MGM on the one hand, and National Screen on the other, not only for their trailer service, but also for their accessories? Grad Sears and Bill Rodgers should emulate Neil Agnew's example and start negotiations with National Screen Service for turning over to it, not only their trailers, but also their accessories. They should certainly be able to justify their action to their stockholders by the saving they will effect in their accessory departments, which are losing them more than all the profits they can show to the stockholders from trailers.

THOUGHTS AT RANDOM

I don't know how much money Darryl Zanuck spent on "Swanee River"; it certainly looks like a costly picture. But has he obtained results commensurate with the cost?

You will say that there is no way by which the matter could be figured out, because there is no way by which a comparison could be made.

If there was no way by which comparison could be made, you would be correct, but—

In 1935, Nat Levine produced for Mascot a picture that he had built on the same theme—the life of Stephen Foster. Aside from the fact that the players were not as well known as are the players of "Swanee River," the human qualities of the Levine picture were far superior, in spite of the fact that Mr. Zanuck photographed his opus in natural colors (Technicolor). Levine's picture tore at one's heartstrings, whereas some situations in "Swanee River" move one mildly.

I am not making this comparison to disparage Mr. Zanuck's efforts, but merely to show that lavish expenditure of money does not always mean better results.

PICTURES NOW IN PRODUCTION

Columbia

"TOO MANY HUSBANDS," with Jean Arthur, Fred MacMurray, Melvyn Douglas, and others, produced and directed by Wesley Ruggles. Of good to very good box office power, the degree depending on the degree of popularity of these stars.

"BLONDIE ON A BUDGET," with Penny Singleton, Arthur Lake and the rest of the Blondie series cast. The usual business with a picture of this series.

"PASSPORT TO ALCATRAZ," with Jack Holt, Noah Beery, Jr., Ivan Lebedeff, and others, produced by Larry Darmour. Program.

MGM

"FORTY LITTLE MOTHERS," with Eddie Cantor, Rita Johnson, Bonita Granville, Ralph Morgan, Diana Lewis, and others, produced by Harry Rapf, and directed by Busby Berkeley. The business this picture will do will, no doubt, depend on Mr. Cantor's popularity.

Paramount

"DOWN WENT McGINTY," with Brian Donlevy, Akim Tamiroff, Muriel Angelus, William Demarest, and

others. Mr. Tamiroff is a fine actor, but he is only a character actor. As to Donlevy, he, too, is a good actor, but he takes only villainous parts, and villains seldom draw. Fair box office business.

"THE WOMAN FROM HELL," with William Henry, Jean Cagney, Richard Denning, Paul Kelly, and others. Program (Isn't the Code supposed to ban the word "Hell" from a title?)

"MILLIONAIRE PLAYBOY," with Joe Penner. This is the new title of "Playboy No. 2," described in a recent issue.

Universal

"IT HAPPENED IN KALOHA," with Deanna Durbin, produced by Joseph Pasternak, directed by William Seiter. As usual, from very good to excellent.

"BLACK FRIDAY," with Boris Karloff, Bela Lugosi, Anne Nagel, and Stanwyck Ridges, produced by Burt Kelly and directed by Arthur Lubin. The usual business of pictures with Boris Karloff.

Warner Bros.-First National

"THREE CHEERS FOR THE IRISI," with Priscilla Lane, Rosemary Lane, Thomas Mitchell, Dennis Morgan, Morgan Conway, Alan Hale, Frank Jenks, produced by Sam Bischoff and directed by Lloyd Bacon. Very good cast and producer, and excellent director. But its box office results will depend by seventy-five per cent on the story and its treatment.

"MARRIED, PRETTY AND POOR," with John Garfield, Anne Shirley, Claude Rains, Una Merkel, Frank McHugh, Elizabeth Risdon, Dennis Moore and Gertrude Nils, produced by Henry Blanke and directed by Vincent Sherman. Good cast, producer and director. Should make a good picture, provided the story is good.

REMAKES

"SHEPHERD OF THE HILLS," the Harold Bell Wright novel, to be re-made by Paramount. It was first produced in 1919 by the Harold Bell Wright Corporation, and it turned out to be just ten reels of junk. It was again produced in 1928 by First National, and turned out to be pretty good, only too long. The story is not bad: it deals with a gangster who, while in the Ozark mountains, becomes acquainted with a young boy. Later he learns that this boy was the son of his son. The father had run away because the wife's father had objected to the marriage. The boy becomes attached to the gangster and begs his grandfather (from his mother's side) not to let him go. Eventually the gangster reveals to the maternal grandfather the reason why his son had not returned—he was dead. Paramount may make something out of this story, but it must be handled by a writer with a heart.

"DAVY CROCKETT," to be produced by Paramount. This Texas character was put into pictures once before, by Paramount, in 1919, with Dustin Farnum in the leading part if I am not mistaken. A picture under the title "Davy Crockett at the Fall of the Alamo" was produced in 1926 by an independent concern, Sunset Pictures.

A POSSIBLE SURPRISE IN STORE ON "PINOCCHIO"

On the card Mr. Walt Disney sent to people in the business on Christmas he had the characters that appear in "Pinocchio."

From the looks of these characters, a surprise is in store for the business in general, and for the exhibitors in particular, not to say the public. There is individuality in every one of the characters.

It seems as if "Pinocchio" is going to be as good as "Snow White," if not better.

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The Frantic Efforts of the Neely-Bill Opponents

"Of interest to psychologists or other students of human behavior," said Welford Beaton in the October 28 issue of his *Hollywood Spectator*, "should be the attitude of the personnel of the film industry towards the blows federal courts and Congress are aiming at the present motion picture set-up. The heads of the big companies are scared stiff, are having secret huddles, can not see the way out, and regard as inevitable the divorce of distribution and exhibition and the abolition of block booking. But the real brains of the business, the directors, writers and players upon whose ability the whole vast screen world rests, seemingly do not see what lies ahead of them, do not realize that within a few months, perhaps, Hollywood will have a shake-up that will jar most of them out of their studio chairs and land them on the street. And yet, as I have said in previous *Spectators*, it is going to be the best thing that could happen to those among the creative workers who have gumption enough to take advantage of the new order of things.

"No matter what happens, motion pictures always will be made and those with picture brains always will be successful in making them. When pictures are not sold until they are made and exhibitors have a chance to look at them, it will make no difference to an exhibitor whether a picture was made by MGM or was the product of a writer and director, turned out under difficulties in a corner of a back lot. That is how wide open picture making and selling are going to be. But even if there were but a slight chance that such conditions will result from the various federal actions, writers, directors and those producers who are not too old or too stupid to think in terms of the fundamentals of their business, should give some thought now to how best to take advantage of the new order of things if and when it is ushered in."

Wise are these words, but none from the producer-distributor side is heeding them. Instead, they are frantically exerting last minute efforts to defeat the Neely Bill. They are really so frantic that they are grasping at every straw with the hope that that straw will prove their salvation.

I have before me, for example, a pamphlet containing a speech made by Charles C. Pettijohn, of the Hays office, to the members of Associated Motion Picture Advertisers, in this city, on December 14, issued by that association. Now, Charlie has a believe-me-I-know-what-I-am-talking-about manner of delivering a speech and usually makes an impression upon those present, but when you take any of Charlie's speeches and, away from Charlie's emotionalism, analyze them, you realize at once that they are, with my personal apologies to my friend Charlie, most of the time shallow. This one is, not only shallow, but lacks even in the first rudiments of a good speech, simply because it is founded on false premises, as I shall presently prove. Like Harry Brandt, he takes a false premise and on it builds what at first sight appears to be a true story, but when you examine it you recognize it as false.

For instance, he says in the third paragraph:

"... its [the public's] real interest is in the entertainment that appears on the screen. That entertainment is more satisfactory today than possibly in any other period of the history of the screen. The American public . . . casts 85,000,000 votes a week to express its satisfaction with what the industry produces. . . ."

Bear in mind that Mr. Pettijohn, who makes such a statement, is neither a producer, nor a distributor, nor an

exhibitor; he is merely a lobbyist, sent here and there to kill legislation that his employers feel might affect them adversely. If a Bill is designed to better the lot of the independent exhibitor, it makes no difference to him: what he is paid for is to kill even such a Bill, should his employers fear that it might change the present system.

Let us see what a writer who lives in Hollywood, knows stories, and comes in contact with those who make the pictures, has to say as to the present pictures as well as to the size of the present attendance in the picture theatres. I am copying from an article that appeared in the same issue of the *Hollywood Spectator* as that from which the extract in the introduction of this editorial was copied. Says Mr. Beaton:

"... At no previous time in the history of motion pictures was there as much money spent on them as is being spent now. Million-dollar pictures are common; two-million ones not uncommon. Never before were names exploited as widely as now. In the last half-dozen years hundreds of picture magazines have been born and many of them have enormous circulation. Mickey Rooney's arrival in New York calls for a greater outpouring than would be prompted by the arrival of the President of the United States.

"And while pictures are occupying the public mind more than ever before, the financial condition of the picture industry is so serious [that] stenographers are being let out and salaries of others are being cut. The situation reaches the peak of its pathos when we read that here and there a producer voluntarily has cut his own salary down to a miserly quarter-million dollars or so.

"While more people are interested in pictures and the best pictures in screen history are being made, fewer people are paying to see them. That should be food for thought by people who do not wish to be shaken out of the film industry when the pending upheaval in Hollywood occurs.

"As the present pictures are made as well as any one could make them, the box-office slump cannot be charged to the manner of their making. Stories are written ably, pictures are mounted beautifully, the acting is excellent. The weak spot, then, must be the medium itself. The talking picture, when it was an awkward infant expressing itself as infants do, had in this country a weekly attendance of forty million more people than it has now.

"Creative workers should ask themselves the reason for the falling off. Finding an answer to the question will equip them to take advantage of the opportunities so soon to come to them. They will find that audiences have been talked to death by a medium which could give them quiet, visual entertainment with a minimum of talk. . . .

"There is not a great deal to learn about talking picture technique. There is only one really important rule: Never express on the screen in spoken words anything which can be conveyed to the audience by the camera. That is the first thing which would be impressed upon the infant class in a cinematic course. . . ."

As to the 85,000,000 "weekly votes" Charlie had mentioned in his speech, he used this figure because it sounds impressive, but he failed to let his hearers know that, in the first few years of talking pictures, there were about 40,000,-000 more admissions weekly than at present.

But assuming that Charlie's 85,000,000 weekly attendance figure is correct; this does not mean that it is an indication of the satisfaction the picture-going public feels towards the

(Continued on last page)

"Remember the Night" with Barbara Stanwyck and Fred MacMurray

(Paramount, Jan. 19; time, 92 min.)

A good romantic drama for adults. The story is not particularly novel or even logical; yet it holds one's attention, for it has been directed with skill and acted by a capable cast with charm. There are several situations that have a strong emotional appeal. Most touching is the scene at the hero's farm home, where the family gathers at night to sing and talk; the heroine, who had never known anything so simple and delightful, is moved to tears. The fact that she is a crook makes one be unsympathetic towards her at first; but her eventual regeneration and desire to pay for her misdeeds changes the spectator's feelings. There is plentiful comedy, both in dialogue and situations:—

Fred MacMurray, assistant District Attorney, is assigned to prosecute a case again Barbara Stanwyck, a jewel thief. Since he was preparing to leave for his Indiana farm home to spend the Christmas holidays with his mother (Beulah Bondi) and aunt (Elizabeth Patterson), he manages cleverly to have the case postponed until after the New Year. Feeling sorry for Miss Stanwyck, who would have to spend the holidays in prison, he arranges with Tom Kennedy, a bond agent, to obtain Miss Stanwyck's temporary release. Kennedy, mistaking MacMurray's intentions, brings Miss Stanwyck to MacMurray's apartment, just as he was preparing to leave. MacMurray assures Miss Stanwyck that he had no ulterior motives. He takes her to dinner, and learns that she, too, came from Indiana. Knowing that she had no place to go, he offers to take her along with him so that she could visit her mother. But her mother orders her out of her home, and so MacMurray suggests that she spend the holidays at his mother's farm. She is treated so kindly by every one that she becomes a changed person. When MacMurray tells his mother about the case, she, fearful lest he ruin his career by falling in love with the girl, speaks to Miss Stanwyck, who readily understands how the mother felt. On the way back to New York, MacMurray confesses his love for Miss Stanwyck, but she begs him to forget her. During the trial, Miss Stanwyck, realizing that MacMurray was trying to throw the case, pleads guilty, so as to save him from disgracing himself. She tells him that she felt she should serve her prison term and that if, upon her release, he still wanted her, she would marry him.

Preston Sturges wrote the screen play, and Mitchell Leisen directed and produced it. In the cast are Willard Robertson, Sterling Holloway, and others.

Not suitable for children or adolescents. Adult fare. Class B.

"The Shop Around the Corner" with James Stewart, Margaret Sullavan and Frank Morgan

(MGM, Jan. 12; running time, 98 min.)

Brilliant direction, flawless performances, intelligent dialogue are spoiled somewhat by unworthiness of by-plot, which deals with the unfaithfulness of a wife. But perhaps the picture's artistry will overshadow this defect. The characters involved are ordinary people; this contributes to making the picture entertaining, for they are likeable. There are moments of tender charm, bringing tears, and others provoking hearty laughter. And mingled with all this is a romance that delights and amuses one because of novel development. Budapest is the locale:—

James Stewart, head clerk in the shop owned by Frank Morgan, carries on a correspondence with a young lady who had advertised in the newspaper for some one to correspond with her who was interested in developing mentally. They do not divulge their names to each other. Morgan engages Margaret Sullavan as a clerk during the Christmas rush; unknown to Stewart, she is the girl with whom he had been corresponding; naturally she, too, does not know that Stewart was her dream man. She and Stewart do not get along well together; they quarrel constantly. Having made an appointment to meet his unknown letter-writing friend, Stewart arrives at the appointed place only to find, to his amazement, that the girl was Miss Sullavan. He greets her without telling her that he was the man she was waiting for; but she insists that he leave her alone, for she was expecting some one. In the meantime, Morgan, having learned that his wife was having an affair with one of his employees, naturally suspects Stewart, for he was the only one who had ever been invited to his home. He discharges Stewart, who is heartbroken. But when Morgan learns that the guilty man was Schildkraut and not Stewart, he is ashamed, and tries to shoot himself. His messenger boy prevents him from doing so. Morgan goes to a hospital for a rest; he reengages Stewart, and makes him general manager. In the meantime, Stewart had

fallen in love with Miss Sullavan; and she becomes attracted to him. When he finally reveals his identity to her, she is happy, and they are joyfully united.

The plot was adapted from a play by Nikolaus Lazlo; Samson Raphaelson wrote the screen play, and Ernst Lubitsch directed and produced it. In the cast are Sara Haden, Felix Bressart, William Tracy, and Inez Courtney.

Because of the implication of the wife's unfaithfulness, Class B for children; but Class A for adults. The picture should delight the intelligentsia.

"He Married His Wife" with Joel McCrea and Nancy Kelly

(20th Century-Fox, Jan. 19; time, 83 min.)

This is one of those talkative society comedies that should find favor mostly with sophisticated audiences. As is usual in pictures of this type, the production is lavish. But this is of little help to the picture, since the story is silly, lacking action and human appeal. The performances are adequate, considering the fact that the players were handicapped by trite material and silly dialogue:—

Nancy Kelly, who had been divorced from Joel McCrea, arrives at the home of wealthy scatter-brained Mary Boland, accompanied by Lyle Talbot, a most ardent suitor. McCrea, also a guest, is eager to see Miss Kelly marry Talbot, for then he would be free of paying her alimony, and could devote all his money to racing his horses. But the arrival of Cesar Romero, who was unknown to all the guests, causes complications, for he starts paying attention to Miss Kelly. This annoys McCrea; it makes him realize that he still loved Miss Kelly. He suggests that they remarry. Miss Kelly happily accepts the idea, for she still loved McCrea. But when she learns that he had wanted her to marry Talbot she is angry and plans to jilt McCrea for Talbot. But everything turns out well. She marries McCrea; the ceremony is interrupted for a time to enable them to listen to the results of a horse race.

Erna Lazarus and Scott Darling wrote the story, and Sam Hellman, Darrell Ware, Lynn Starling, and John O'Hara, the screen play; Roy Del Ruth directed it and Raymond Griffith produced it. In the cast are Mary Healy, Barnett Parker, Elisha Cook, Jr., and others.

Not for children. Suitable for adolescents and adults. Class B.

"The Man Who Wouldn't Talk" with Lloyd Nolan and Jean Rogers

(20th Century-Fox, Feb. 2; time, 72 min.)

Just a fair program melodrama. It is a remake of "The Valiant," which was first produced in 1929. The original picture was powerful; but changes have been made in the present version that have weakened it dramatically. Furthermore, the action is slow-moving and the production values are only fair. There are, however, a few touching moments when sister and brother meet. There is no romance:—

Lloyd Nolan kills Onslow Stevens and then gives himself up, under an assumed name. He refuses to give a reason for the killing, except to say that Stevens had deserved it. The State assigns a lawyer to defend him; but he refuses to tell the lawyer anything. Many persons call at the jail, thinking that they might be able to identify Nolan; but no one knows him. Jean Rogers, a young girl from Vermont, asks to see Nolan, for she believed he was her missing brother who had gone to fight in France and had never returned. Although she was his sister, Nolan pretends that he did not know her. A surprise witness is brought to the stand—a man who had fought with Nolan in the war. He first identifies Nolan as Miss Rogers' brother, and then proceeds to tell his story: Nolan had been convicted of being a spy, and had been sentenced to death; he did not know how he had escaped. Another witness appears and gives the facts: he had been a German spy working with Stevens, who had been in Nolan's regiment. Thinking that they would be found out, Stevens had planted damaging evidence in Nolan's belongings, and had then testified against him. Nolan then tells the rest of the story: a sudden bombardment had given him his chance to escape, but he had wandered all over the world, a homeless man. He had finally found Stevens and had confronted him, ordering him to sign a confession. But Stevens had refused and had drawn a gun; Nolan had killed him in self-defense. The jury acquits him. Nolan is reunited with his family.

The plot was based upon the play by Holworthy Hall and Robert M. Middlemass. Robert Ellis, Helen Logan, Lester Ziffren, and Edward Ettinger wrote the screen play, David Burton directed it, and Sol M. Wurtzel produced it. In the cast are Richard Clarke, Eric Blore, Joan Valerie, Mae Marsh, and others.

Suitability, Class A.

**"Abe Lincoln in Illinois" with
Raymond Massey, Ruth Gordon
and Gene Lockhart**

(RKO, Rel. date not set; time, 109 min.)

The finest Lincoln picture produced to this day. Acted with skill by Raymond Massey, as Lincoln, and produced and directed with care and intelligence, it offers entertainment that should thrill American audiences. It may be represented in the South, in spite of the fact that it is historically correct, for one's sympathies are directed towards Lincoln because of his stand on slavery. Aside from this issue, however, the picture should serve as an inspiration to Americans everywhere, for it carries a message that might be heeded today—to preserve and fight for freedom and democracy. There are several situations that stir one's emotions deeply. Especially so is the last scene where Lincoln makes a speech to his friends and neighbors from the train which was taking him to Washington as President of the United States; it leaves one choked up.

The story starts when Lincoln leaves his prairie home to seek work. He settles in a small town as clerk in a store; later he becomes the owner of the store. He falls in love with Ann Rutherford, but she loved another. Believing that her fiance had deserted her, Ann accepts Lincoln's attentions and promises to marry him; but she becomes ill and dies. Lincoln moves to a larger town, studies law, and enters the practice. He becomes known for his wit and common sense. His young clerk tries to prod him on to do big things, for he felt that he was destined to lead the nation out of the horror of slavery. Lincoln meets Mary Todd, who sees in him a man who could do great things if inspired properly. In time Lincoln proposes to her; but, afraid of her ambition, he breaks the engagement. Eventually they meet again; she forgives him and accepts his marriage proposal. Lincoln's life with her is not a happy one, for she was exacting in her demands, even with their children. Because of the brilliant campaign he had carried on against Douglas, his opponent in the race for Senator, Lincoln comes to the attention of important men. He is offered the nomination for President of the United States. He accepts it, knowing of the bitter struggle that was to come on the slavery question. Elected, he leaves for Washington with a heavy heart, not only because of the forthcoming strife, but also because he had a presentiment of his coming death.

Robert E. Sherwood wrote the screen play from his own stage play; John Cromwell directed it, and Max Gordon and Harry Goetz produced it. In the cast are Gene Lockhart, Ruth Gordon, Mary Howard, Alan Baxter, Harvey Stephens, Minor Watson and others.

Class A.

**"Danger on Wheels" with Richard Arlen,
Andy Devine and Peggy Moran**

(Universal, Feb. 2; time, 60 min.)

A moderately entertaining action melodrama, with an automobile racing background. The stock shots, showing races and accidents occurring on the track, also the dangerous work involved in testing automobiles, make up the most exciting part of the picture, for otherwise the plot is routine, lacking both novelty in plot development and excitement. As in the other pictures starring Arlen and Devine, Devine's troubles with women form the basis for comedy; but this time it is even less amusing than in the other features:—

Arlen, test driver for an automobile manufacturing concern, meets and is attracted to Miss Moran. When he learns that Devine, his mechanic, was working on a new engine with Miss Moran's father, Arlen decides to visit him and thus meet Miss Moran again. But she shows contempt for Arlen. Arlen takes over the job of racing his firm's car when the regular driver resigns, angry because his employer would not discharge Arlen, with whom he had quarreled. The discharged driver passes the word around for the other drivers to bottle up Arlen. In an effort to get out of the trap, Arlen forces the driver of Miss Moran's father's car to move aside. The driver skids, crashes the car, and is killed. An investigation is held, but Arlen is cleared. Miss Moran, however, refuses to see him. The track authorities rule Miss Moran's father's type of engine off the track. Arlen, having faith in the engine, enters into a scheme with Devine to substitute Miss Moran's father's engine for the one that was in the car he was going to drive at an important race. He wins, thus proving the value of the engine. Miss Moran forgives him and promises to marry him.

Ben Pivar wrote the story and produced the picture. Maurice Tombragel wrote the screen play, and Christy Cabanne directed it. In the cast are Herbert Corthell, Harry Bradley, Sandra King, and others.

Suitability, Class A.

**"My Son Is Guilty" with Bruce Cabot,
Jacqueline Wells and Harry Carey**

(Columbia, Dec. 28; time, 62 min.)

A fair program melodrama, with a formula plot. Even though it lacks novelty in plot development, it may appeal to the action fans, for there are several fights and some exciting encounters between the police and the crooks. One feels sympathy for Harry Carey, who suffers because of his son's criminal activities. Aside from him, the other characters are of minor importance. The romance is routine:—

Carey, a policeman, is happy when his son (Bruce Cabot) is released from prison. Thinking that Cabot wanted to go straight, he obtains for him a position in the radio division of the Police Department. But Cabot ties up with a gang headed by Wynne Gibson. They plan their robberies cleverly, particularly one which involved a big haul. Cabot's job was to delay notifying the police, thus giving the crooks a chance to make a getaway. On one of the jobs, Carey is shot but recovers. The police discover Cabot's connection with the criminals, and inform Carey of it. He tells them to go after his son. Jacqueline Wells, a neighbor, who had planned to marry Cabot, is unhappy when she hears the news. Cabot is eventually killed. Although unhappy, Carey preferred to see his son dead rather than have him continue as a crook. Miss Wells is comforted by an upright young man who loved her.

Harold Shumate and Joseph Carole wrote the screen play, and Charles Barton directed it. In the cast are Glenn Ford, and others.

Not for children. Suitable for adolescents and adults. Class B.

**"Of Mice and Men" with Burgess Meredith
and Lon Chaney, Jr.**

(United Artists, Jan. 12; time, 105 min.)

From an artistic point of view, this is outstanding, for the direction and acting are of the highest order. But as entertainment, its appeal should be directed to class audiences. Average picture-goers, even though they may be sympathetically inclined towards the characters, will find the theme too depressing and the background too sordid for their tastes. Human suffering, whether physical or mental, is not a cheerful theme; and most of the characters depicted here suffer in one way or another from thwarted desires, loneliness, and physical ailments. The added touch of brutality on the part of one character is another unpleasant feature. The fact that the characters may be drawn true-to-life does not necessarily mean that the masses will find a drama revolving around them entertaining. The action throughout is far from cheerful, and the ending is most depressing:—

Burgess Meredith, who travelled around the country with Lon Chaney, Jr., working at different ranches for their livelihood, watches over Chaney, a moron, who might be dangerous without Meredith's guidance. Meredith dreams of the day when they would have enough money to buy a place of their own; he keeps Chaney happy by describing the dream place to him and by promising to permit him to take care of rabbits, for Chaney loved to pet anything soft. They arrive at a California ranch; Meredith finds the atmosphere unpleasant, for the owner's son (Bob Steele), a bully, suspected every man on the place of trying to flirt with his wife (Betty Field). Miss Field, miserable because of Steele's treatment, tries to make up to the men, but they ignore her. Meredith becomes friendly with one of the ranch hands (Roman Bohnen), a crippled old man. When Bohnen hears about their plans for a ranch, he induces Meredith to take his life savings and count him in. Meredith sends the money away as a deposit on the ranch. Just when things looked good, a tragedy occurs. Miss Field, having quarreled with Steele, prepares to leave him. She goes to the barn to get her puppy, and there finds Chaney, petting the animals. She gets into a conversation with him, and urges him to touch her soft hair; she suddenly becomes frightened and starts to scream. Terrified, and not knowing what to do, Chaney chokes her to death; he then runs away to the swamps where Meredith had once told him to go in case he got into trouble. Meredith, heartbroken at the turn of events, and desirous of saving his helpless friend from torture, follows him to the swamps and kills him. He then gives himself up.

The plot was adapted from the novel and play by John Steinbeck. Eugene Solow wrote the screen play, Lewis Milestone directed and produced it, and Frank Ross was associate producer. In the cast are Charles Bickford, Noah Beery, Jr., Granville Bates, Lee Wilder, and others.

Unsuitable for children or adolescents. Adult fare. Class B.

product that is produced today. Many of them continue to go to pictures, despite their dissatisfaction, because they have nowhere else to go.

Pettijohn says: "It is the selling system attacked by this bill which has made it possible for pictures to be so distributed that even under the most depressed economic conditions the poorest in the land are able to see, in time, the best that the art produces."

Are "the poorest in the land" going to be deprived of the opportunity of seeing "the best that the art produces" if the Neely Bill should become a law, Mr. Pettijohn?

"In a period marked by curtailed production in other industries," he continues, "the motion picture industry met the challenge of depression by making even greater investments than normally and producing more and better pictures in the public interest."

If I interpret this paragraph right, it means that, even though the producers knew they were going to lose money, they went ahead just the same and put more money into pictures, because they wanted to put people to work. This certainly should make you laugh, for every one of the majors has discharged low-salaried employees and, with the exception of RKO, has left the high-bracket salaries untouched.

"In a period of hard times, when public responsibility may lag, the record proves that not a single religious, social, educational or civic group has had a valid complaint to make about the functioning of the self-regulation in the motion picture industry."

What record is Pettijohn talking about? And such a record proves what? Of the 412 pictures that I reviewed last year, 184, or 44.66%, were founded on horror, murder, crime of some sort, sex or drink. There have been protests to the exhibitors directly because of the many crime pictures that are shown by them. The exhibitors have told the protesters that they are not responsible for the production of these pictures, and that they are helpless to avoid showing them. Some of these exhibitors have protested to the producers—this paper itself has written editorials pointing out the danger from this sort of pictures; it has informed the industry that a silent boycott by women's organizations is on against crime pictures of all sorts, and that, as a result of it, the theatres, innocent parties, are suffering. And the effect of this boycott has been reflected in the box office receipts in the last two years. But nothing has been done to remedy the situation. And yet Charlie Pettijohn, supinely and self-complacently, makes statements that should have been laughed at even by children, let alone by intelligent persons such as are those who compose the membership of Associated Motion Picture Advertisers.

"Under the Neely Bill," says Pettijohn, ". . . the small exhibitor would have to go to market for his pictures, incur the cost of travel and compete with much stronger exhibitors for the same product on the auction block. At present time fully 40% of the exhibitors in this country pay less rental for each feature than the cost of travelling to and from the exchange centers. . . ."

This is an absolute misrepresentation, so wanton and so shameless that Charlie's conscience must have been bothering him ever since he made the statement. Under the Neely Bill, no exhibitor will have to move an inch from his place of business to buy film if he is not doing so now. The synopsis will contain enough information to enable him to determine whether the picture would or would not be suitable for his requirements; and if he thought that such synopsis did not contain enough information, the reviews in the trade papers would supplement it.

As far as his statement that an exhibitor will have to compete with "stronger" exhibitors is concerned, when did the weaker exhibitor have a chance against a stronger exhibitor? Has the independent chain a chance as against the affiliated chain? Has the small independent chain a chance against the strong independent chain? Has the individual exhibitor a chance against the circuit operator? In plain words, has it not been always the bigger buying power that controlled product? And why should the Neely Bill make matters worse for the small exhibitors? If anything, it will make conditions better for him.

It is hardly necessary for me to quote any more of Pettijohn's nonsense, for I am thoroughly convinced that what I have quoted is enough to show you how careless the producers have grown in the choice of implements in their war against the Neely Bill. When they are reduced to using such arguments as Pettijohn advances, and to putting them out in printed form, they must have grown pretty desperate.

FACTS TO REMEMBER ABOUT THE NEELY BILL

The producer side is doing all it can to mislead you into believing that the Neely Bill, if it should become a law, will put you out of business. And it is resorting even to giving you misleading information in order to accomplish its object.

There are a few things you must remember about the Neely Bill regardless of what misinformation is fed to you, no matter from what source:

(1) The purpose of the Neely Bill is to kill, not block booking, but full-line forcing. In other words, after the Neely Bill becomes a law, you will be able to buy in block form just as you are able to buy now. Only that the distributor will not be able to compel you to buy his westerns in order for you to be able to buy his dramas; or, if gangster pictures are objected to by the people of your community, the exchange will not be able to tell you: "you can't have our society dramas unless you take also our gangster and other crime pictures." Don't let any one lead you to believe that the Bill means anything but that. Remember also that today there is block-booking for you but not for the affiliated theatres. The Paramount theatre department, for example, is not under an obligation to buy the entire product of either Twentieth Century-Fox, or of MGM, or of any other theatre-owning producer-distributor, nor is any other theatre-owning producer-distributor under an obligation to buy the entire line of the Paramount product. If block-booking were so great for the exhibitor, why don't the theatre-owning producer-distributors enforce it among themselves?

And that isn't all: no theatre-owning producer-distributor is obliged to buy the entire line of product of a producer-distributor who owns no theatres.

(2) The price of your pictures will not be prohibitive, because the Bill makes it unlawful for the distributor to charge you for a single film, or for a small group of films, or for a lesser number of films than the entire group the distributors will release for the season, a price that is out of proportion with the aggregate price of the whole group, if the distributor's idea in charging such a price should be to restrain your freedom to select and lease such film or films as you may desire, compelling you to lease the entire group. Your film bill may be slightly bigger, but remember that you will have a selection of films—you will not be obliged to buy the "junk" the producers make. Your film bill would be bigger today if you were allowed to choose the pictures you want. And you would be glad to pay it. So the Neely Bill ultimately will have nothing whatever to do with the price of your film; it will be the box-office value of the films you will buy that will determine it.

(3) The producers insist that there will be shortage of product. That is not true; there will be more pictures produced under the Neely Bill than there are now. Production money will become available upon the passage of the Bill. There are today in Hollywood dozens of producers and directors who would be glad to engage in independent production if they had a chance to sell their pictures. Under the Neely Bill they will have such a chance.

But even if we were to leave all these considerations aside, let us remember that the producers will not suffer to see their own houses dark. They are the best insurance of continuity of product. So don't let any one frighten you into believing that the Neely Bill will create a shortage of product.

(4) The producers assert that they will be unable to furnish a synopsis the accuracy of which cannot be attacked criminally, and rather than risk going to jail they will wait until the picture is produced before selling it. That is sophistry. And sophistry means taking a fact and so twisting it as to make it appear as a falsehood, and vice versa: Being a writer, I am certainly in a position to tell you whether an "accurate synopsis," as the Bill calls for, can or cannot be given. I say it most certainly can. What the Bill aims to do is to prevent the distributor from deliberately falsifying the synopsis, and not to make him liable for using an "and" instead of a "but." In the amended Bill, the requirements are, not "a complete and true," but "an accurate" synopsis, which shall include, not "an outline of the incidents, and scenes depicted or to be depicted," but "a general outline of the story and descriptions of the principal characters." There is nothing in such a requirement that the distributors cannot comply with—nothing that will send them to jail, except in their imagination.

(To be continued next week)

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A LAWYERS' PARADISE

I don't know how many lawsuits are pending against the major companies before the federal courts charging violations of the anti-trust laws—I haven't kept a count of them; but, according to the January 3 issue of *Motion Picture Herald*, they are more than fifty in number.

The defense of these lawsuits will cost a large sum of money—so much, in fact, that unless something is done to bring about peace in the industry the producers may go broke defending them.

Is there a chance for peace in the industry? Not, in my opinion, so long as lawyers get fat fees. It has been estimated that the government suit, which is pending in the District Court in this city, will cost the majors several million dollars. And most of this money will go to the lawyers.

Is there in this country another industry where the lawyers have struck such a bonanza?

The end of the government suit will not necessarily shut down this lawyers' paradise; it has been estimated that it will require millions each year to defend the equity suits that are now before the different district courts, and those that will be filed periodically without an end.

How the producers can disentangle themselves from this maze is hard to tell; but some remedy must be found, for such a condition does good to nobody: instead of devoting their energies to making pictures, the producers will be kept busy defending lawsuits, with the result that the quality of the pictures will deteriorate still further. And it is bad enough as it is.

Allied States, at the meeting of the board of its directors in Washington last week, expressed the hope that the producers will adopt arbitration. Perhaps this furnishes a way out for them.

WRITE-UPS THAT DO NO GOOD TO THE INDUSTRY

Howard Barnes, motion picture critic of the New York *Herald-Tribune*, in his column which appeared in the January 14 issue, called the attention of the paper's readers to the remakes. He says partly:

"The reason for the sudden flood of remakes is not hard to find. . . . A year and a half ago, I was witness to an acute attack of doldrums on the part of the screen when visiting the west coast. Last spring the industry was still in what might be termed a jittery state. Since then, and particularly since the outbreak of the European hostilities and the virtual disappearance of that cushion of profits from the foreign market, film-making has been in an even more parlous state. Producers, unwilling to take a chance on anything but a sure bet, have figured that they had this in turning out new productions of shows which already had proved their drawing power at the box office.

"There is more to the present and impending avalanche of remakes than mere timidity, to be sure. With budgets being slashed on all sides, it is obvious that the screen revivals offer excellent opportunities to cut financial corners. . . ."

Write-ups of this kind do no good to the industry. The public for years and years did not know the difference between an "A" and a "B" picture. As a matter of fact, it did not know that there was any difference in the rating of pictures. Now it knows. And it is now about to become conscious of the fact that many of the pictures are remakes. If this sort of publicity continues, the day will come when people will fear to go to a picture theatre lest they pay their money to see something they had already seen, even though the players may be different.

WHOM IS 20th CENTURY-FOX "KIDDING" ON "THE BLUE BIRD"

"The Blue Bird," the Twentieth Century-Fox picture with Shirley Temple in the leading part, opened its roadshow engagement last week at the Hollywood Theatre, a Warner Bros. house, on Broadway, at prices ranging from 55c to \$1.10 in the afternoon, and from 85c to \$1.65 in the evening.

The picture runs only eighty-one minutes. For this reason it was necessary for the producer to build up the length of the program with shorts.

I wonder whom 20th Century-Fox is "kidding" by passing off this picture as a roadshow attraction. To begin with, it is a fairy tale, and as such, it appeals chiefly to children. Imagine, then, how adults will feel paying \$1.65 for a "kid" picture, and how children will feel paying correspondingly high prices for a picture that has been made for them!

"The Blue Bird" is not a picture of roadshow caliber, despite the \$2,000,000 cost, and to pass it off on the public as such will cause resentment that will not be a good thing for the motion picture industry. And it will not fare well at the box office after the "panning" it received from New York newspaper reviewers.

Of course it is an expensive production! And so was "The Wizard of Oz"! As a matter of fact, "The Wizard of Oz" was much more expensive—it cost approximately \$3,000,000 to produce. But Metro-Goldwyn-Mayer, realizing that it could not pass it off to the public as a roadshow picture, put it on its regular program. In other words, it took its loss in a manly way, and let it go at that, whereas Twentieth Century-Fox is trying to "kid" itself by believing that, if it will roadshow "The Blue Bird" a few weeks, even at a loss, it might be able, by giving it "prestige," to induce the exhibitors to pay for it more money than their contract calls for. In the meanwhile, the public is "taken in."

When Twentieth Century-Fox announced that, on the strength of the roadshow provision, it was pulling out "The Blue Bird" for the purpose of roadshowing it, some of you feared that you would not get the picture on your regular program—that Fox would make you pay more money for it if you wanted to get it. My personal opinion is that Fox will be glad to let you have it on your regular contract if you will have it. I fear that the picture will "die" in the evenings even though it may do good business in the afternoons, mostly child trade.

FACTS TO REMEMBER ABOUT THE NEELY BILL

(Continued from last week's issue)

(5) The Bill does not impose government regulation. Nowhere in the Bill is there a provision for a commission to enforce its provisions. The Bill, if it should be passed by the House of Representatives and should become a law, will be enforced just like any other federal law. Any statement to the contrary is a misrepresentation of facts.

(6) The Bill does not fix prices. Under it, the distributor can get as much for his film as he got before. Only that he will not be able to charge you \$4,950 for one film when he charges you \$5,000 for his entire product. It is merely distributor "blackjacking," for the purpose of forcing his entire line of product on the exhibitor, that the Bill has been designed to prevent.

(7) The Neely Bill is needed if the exhibitor is to book what his public wants to see. The 10% and 20% cancellation provision cannot take care of his requirements, for the reason that only two companies have granted such a can-

(Continued on last page)

"Calling Philo Vance" with James Stephenson

(Warner Bros., February 3; time, 62 min.)

This is a remake of "The Kennel Murder Case," first produced in 1933; but certain changes have been made in the story to give it a new twist. But the manner in which the murders are committed, and the methods employed for discovering the murderer's identity, are similar in most respects to the original. As entertainment, it is definitely inferior to the first picture. In altering the script, so many complicating circumstances have been added that the story has become somewhat muddled, and tiresome. What may have been exciting in 1933 is now just another murder-mystery melodrama; moreover, the first picture had the advantage of having William Powell in the leading role, which proved a box-office attraction. It is just minor program fare, suitable as the second half of a double feature program:—

James Stephenson, working for the U. S. Secret Service Department, is given the difficult task of finding out whether a certain aeroplane manufacturer who was supposed to be selling his aeroplanes only to the U. S. Government was negotiating also with foreign countries on aeroplane deals. He finds out that the man was doing so; but before anything could be done about it, the manufacturer is murdered. Stephenson investigates the case, and finds another body—that of the manufacturer's brother. Several persons are suspected, particularly the foreign agents who had been negotiating with the manufacturer for his aeroplane plans for a new bomber. An attempt is made to kill Ralph Forbes, representative for England; but he recovers. Stephenson, with the help of a police dog that had been attacked by the murderer when the dog had followed him into the manufacturer's home, corners the murderer; he turns out to be the manufacturer's secretary. He had tried to obtain the plans so as to sell them and make enough money to be in a position to propose to Margot Stevenson, the dead man's niece. The moment the dog sees him, he jumps on him, thereby giving evidence of his guilt. The murderer confesses.

The plot was adapted from the story by S. S. Van Dine. Tom Reed wrote the screen play, William Clemens directed it, and Bryan Foy produced it. In the cast are Henry O'Neill, Ed Brophy, Sheila Bromley, Donald Douglas, and others.

Not for children or adolescents. Adult fare. Class B.

"Congo Maisie" with Ann Sothern and John Carroll

(MGM, January 19; time, 70 min.)

A fair program comedy. Like the first "Maisie" picture, it depends on wisecracks for its comedy, and some of these cracks are pretty suggestive. The story is thin; whatever entertainment value the picture has is due mostly to the engaging performance given by Ann Sothern, in the part of a stranded cafe entertainer. The closing scenes, in which she frightens off a savage tribe by performing tricks of magic, are amusing. The romance is routine:—

Being without funds to pay her room rent, Miss Sothern sneaks out of the hotel and hides on a boat that was taking John Carroll to his rubber plantation in the jungle. When Carroll finds her in his cabin, he orders her out. Rather than accept the advances of the Captain, Miss Sothern sleeps on deck. A boiler explosion makes it necessary for the Captain to stop the boat for repairs. Since this would necessitate a few days work, Carroll and Miss Sothern walk through the jungle to the medical headquarters of a large rubber plantation, where Shepperd Strudwick was the doctor in charge. Strudwick's young wife (Rita Johnson) greets the visitors warmly and gives them shelter. Miss Sothern, noticing the growing friendship between Carroll and Miss Johnson, pleads with Miss Johnson not to make a fool of herself, because Carroll was not the right kind of man. In the meantime, she herself had fallen in love with Carroll. Carroll, who had formerly held the post of doctor but had resigned to make money, finds it necessary to operate on Strudwick. Miss Sothern assists him well; he expresses his admiration for her. She shows her courage again when she faces a native tribe intent on killing her and the other white persons and, by tricks of magic, convinces them she was a witch. In that way she saves their lives. Strudwick and his wife resolve to go back to civilization. Carroll decides to resume his medical career at the post, with Miss Sothern as his wife.

Wilson Collison wrote the story, and Mary C. McCall, Jr.,

the screen play; Henry C. Potter directed it, and J. Walter Ruben produced it. In the cast are J. M. Kerrigan, E. E. Clive, Leonard Mudie, and others.

The suggestive talk makes it unsuitable for children. Adult fare. Class B.

"The Fatal Hour" with Boris Karloff, Marjorie Reynolds and Grant Withers

(Monogram, January 15; time, 67 min.)

This is another one in the "Mr. Wong" detective series, and is about on the same level as the other pictures; that is, a fair program murder-mystery melodrama. Following the formula employed in the previous pictures, Karloff, as "Mr. Wong," goes about investigating murders in his quiet way, while Grant Withers, as the police inspector, is busy evading Marjorie Reynolds, a newspaper reporter, who interfered with his work in an effort to obtain a scoop:—

Karloff becomes interested in a smuggling case in which a police officer investigating the matter had been killed. He suspects a certain well known jeweler, but before Karloff could do anything the jeweler is murdered. Craig Reynolds, the jeweler's own son, is suspected, for he had quarreled with his father, for objecting to his affair with a young girl involved in the smuggling racket. When this girl is murdered, Reynolds is again suspected. But Karloff, upon investigating further, comes upon evidence revealing the identity of the murderer, a respected business man. This comes as a surprise to all, for he had not even been suspected; he had killed the jeweler because he was about to reveal his connection in the smuggling racket; and the young girl, because she had jilted him for Reynolds.

Joseph West wrote the story, and Scott Darling, the screen play; William Nigh directed it, and William T. Lackey produced it. In the cast are Charles Trowbridge, John Hamilton, Jack Kennedy, and others.

Not for children. Suitable for adolescents and adults. Class B.

"Green Hell" with Douglas Fairbanks, Jr. and Joan Bennett

(Universal, January 26; time, 87 min.)

This jungle melodrama is limited in appeal. The formula story lacks human interest and is slow-moving; as a matter of fact, nothing exciting happens until almost the very end. But by that time the spectator's interest is dissipated because of the tiresome action up to that point. Jungle pictures have seldom proved attractive to the masses because of the depressing nature of most of them; the dirt, the mental and physical suffering of the white men, and the tediousness of their existence, do not make for cheerful entertainment. But what this picture lacks more than anything else is human appeal; the mission that brings the white men to the jungle is not one to benefit mankind, but to enrich themselves, and so one is not in deep sympathy with them. Even the romance fails to help matters much:—

Alan Hale, archaeologist, prepares for an expedition into the jungles in search of Inca temples and treasures. Douglas Fairbanks, Jr. is in charge; the rest of the party consists of George Sanders (a man of the world), John Howard, George Paneroft, Vincent Price, and Gene Garrick, as well as of natives. After weeks of travel, the party arrives at its destination. During their search, they come upon hostile Indians; Price is wounded by a poisoned arrow. Fairbanks sends several natives back to town for serum, but Price dies before they return. Fairbanks is enraged when he learns that they had brought back with them Joan Bennett, Price's wife; she was ill. After careful nursing by Hale and Fairbanks, she recovers. Her presence brightens the camp, but in a way disrupts it; she and Fairbanks fall in love with each other. While going through her husband's papers, she finds letters showing that Price had another wife. Disillusioned, she prepares to leave. She leads Fairbanks to believe that she did not love him. A terrific storm breaks out that night, making it impossible for her to leave. Furthermore, they are set upon by a savage tribe. Two of the men die, and Fairbanks is wounded. Just when their ammunition gives out and things look blackest, one of the natives returns with a band of loyal followers and they rout the savages. The white men return to civilization. Miss Bennett marries Fairbanks.

Frances Marion wrote the screen play, James Whale directed it, and Harry Edington produced it. In the cast are Francis McDonald, Ray Mala, and others.

Suitability, Class A.

"The Saint's Double Trouble"
with George Sanders

(RKO, January 26; time, 67 min.)

Fairly good program entertainment, suitable mostly for the action-picture fans. Those who have enjoyed the other pictures in this series will probably enjoy also this one, for the action is pretty exciting. It is doubtful, however, if discriminating audiences will be entertained by it, for the story is extremely far-fetched. As in the other pictures, the romantic interest is of slight importance, for the "Saint" is interested in continuing with his adventures rather than in settling down. There are occasional bits of comedy as a result of the hero's cleverness in evading the police:—

A certain gangster (Sanders), mixed up in the diamond smuggling business, commits two murders, each time leaving the mark of "The Saint" (also played by Sanders). The gangster pays a visit on a college professor, an old friend of the "Saint's." Since the gangster was the exact image of the "Saint," the professor mistakes him for his friend and permits him to examine the mummy the "Saint" had supposedly sent him from Egypt. He did not know that the gangster's confederates had hidden diamonds in the mummy. On a second visit to recover the diamonds that he had overlooked on his first visit, the gangster kills the professor. The professor's daughter (Helene Whitney) thinks that the "Saint" had committed the murder. But the "Saint" assures her that he had not, and himself uncovers the whole plot. After an exciting time with the gangster and his men, the "Saint" finally turns them over to the police with all the proof they needed to convict them. He then continues on his way for further adventure.

Leslie Charteris wrote the story, and Ben Holmes, the screen play; Jack Hively directed it, and Cliff Reid produced it. In the cast are Jonathan Hale, Bela Lugosi, Donald MacBride, John F. Hamilton, and others.

The murders make it unsuitable for children; fare for adolescents and adults. Class B.

"Emergency Squad"

(Paramount, January 5; time, 58 min.)

This picture has as much right to be on the Paramount program as has a farmer in boots and overalls to be at a formal party. The direction is amateurish, and the acting worse. And on top of all that, the characters talk themselves to death, despite the melodramatic nature of the subject.

The story has been built around a big city's Emergency Squad, the members of which are supposed to be fearless and to brave danger in the line of their duty, which consists of saving life and property. Louise Campbell, the heroine, having been promised a job on a newspaper if she could get a sensational story, proceeds to get that story. By asking questions, she finally reaches the Emergency Squad headquarters, and becomes acquainted with William Henry, Richard Denning, and Robert Paige, three young policemen, members of the Squad, who undertake to educate her on matters concerning their work. While she is in an asbestos suit, an alarm is sent in and she decides to go along, without revealing her identity to other members of the Squad. Thus she is able to write a first-hand story about the Squad, particularly about the three young officers. John Miljan, contractor of a tunnel project, in order to drive down the price of the bonds, engages Anthony Quinn, a racketeer, to have his men cause a series of explosions. The heroine, who had accidentally met Quinn, manages to visit the tunnel to get a story for her paper. While there, she sees one of the young officers taken out of the tunnel dead. An explosion Miljan had not figured on blocks the tunnel, and Miss Campbell, Miljan, and Quinn are trapped. Because the time bomb that their man had planted was about to explode, they make frantic efforts to escape, leaving Miss Campbell behind. But the arrival of the other two young officers upsets their plans: all are saved, and the criminal acts of Miljan and Quinn are exposed.

The plot has been founded on a story idea by Robert Musel and Michael Raymond. Garnett Weston and Stuart Palmer wrote the screen play, and Edward Dmytryk directed it. In the cast are John Marston, Joseph Crehan, Catherine Proctor, Lillian Elliott, and others.

Because of the deliberate planning of crime, Class B for children and for adolescents.

"Judge Hardy and Son" with Mickey Rooney and Lewis Stone

(MGM, December 22; time, 88 min.)

Although slightly more serious than the previous "Hardy" pictures, there is plentiful comedy in this latest addition to the series. Mickey again provokes hearty laughter because of his "girl" troubles, of his financial upsets, and of his efforts to keep his dilapidated car from falling to pieces. The serious note comes when the mother becomes ill of pneumonia. This brings the family closer together. But, as usual, most of the entertainment is derived from watching Mickey get in and out of trouble, making it necessary for him to turn to his father for advice and financial assistance:—

Having planned to take his girl-friend (Ann Rutherford) to a Fourth of July celebration in his car, Mickey is disgusted when the tires give out and he had no funds with which to buy new ones. Knowing that a contest was to be run awarding a prize of \$50 to the girl who could write the best essay on a famous political figure, Mickey makes a suggestion to two girls—that he write the winning essay and that they divide the prize money with him; but both girls turn him down. His better nature comes to the fore when he gives his essay to a young girl who was unhappy and wanted to win the prize so as to prove that she was clever. In the meantime, he discovers that the girl's mother (Leona Maricle) was the person his father had been looking for; Miss Maricle, having married a wealthy man, was ashamed of her parents and had not communicated with them. They were in financial difficulties and were about to lose their home. After Stone gets through talking to her, Miss Maricle is so ashamed of herself that she tells her husband everything and helps her parents. Mickey is happy when his mother recovers from an illness. His financial difficulties are settled at the same time that his "girl" troubles are adjusted. He takes Miss Rutherford to the celebration, as he had planned.

Carey Wilson wrote the story and screen play, and George B. Seitz directed it. In the cast are Cecilia Parker, Fay Holden, Sara Haden, June Preisser, Henry Hull, Maria Ouspenskaya, and others.

Suitability, Class A.

"Framed" with Frank Albertson and Constance Moore

(Universal, February 23; time, 60 min.)

A pretty good program murder-mystery melodrama. Although the plot is not new, the action is fast and at times exciting, holding one's attention well. Furthermore, the spectator is in sympathy with the hero, a newspaper reporter, who becomes innocently involved in the murders and finds it necessary to solve the case in order to clear his own name. The romance is pleasant:—

Frank Albertson, crack newspaper reporter, informs his editor (Robert Armstrong) that he was resigning in order to devote his time to writing a novel. Armstrong is furious, for Albertson was his best reporter. Eager for Albertson to work on a story involving the disappearance of a well-known society man, Armstrong offers him a \$500 bonus if he could get the facts in the case. Through a tip from Jerome Cowan, who edited the society column, Albertson finds the society man at a hotel; but while he is interviewing him, the man is killed. Albertson rushes into the next room and there finds Constance Moore, the dead man's secretary, who could remember only being struck on the head. Realizing that they would be involved in the murder, Albertson and Miss Moore rush out and decide to start investigating the matter for themselves. During the investigation another murder is committed, which makes things look even worse for Albertson. Finally he solves the case by proving that Cowan had been mixed up in a racket and had committed the murders himself; he had planned things so as to make suspicion fall on Albertson. With the case finished, Albertson turns his attentions to Miss Moore, with whom he had fallen in love.

Roy Chanslor wrote the screen play, Harold Schuster directed it, and Ben Pivar produced it. In the cast are Sidney Blackmer, Judith Allen, Herbert Rawlinson, Barbara Pepper, Jack Arnold, and others.

Not for children. Suitable for adolescents and adults. Class B.

cellation privilege officially, and the exhibitor has no guarantee that they will not withdraw it. Besides, the production system is such that such privilege will not mean anything in the long run; enough poor pictures will be produced in each group to compel the exhibitor to cancel them instead of cancelling pictures that may turn out bad because of poor judgment, or for unsuitability in particular localities.

(8) The Neely Bill does not mean censorship; there is in it no provision anywhere that vests the right in any official or agency to reject a picture on censorship principles.

(9) The Bill will enable each exhibitor to show the best pictures of each producer, instead of showing all the pictures only of three or four producers.

(10) The Bill will not injure the producers. On the contrary, it will enable them to save money, for when the amount of money each picture will bring in to their box office will depend on merit, they will have a greater incentive for making better pictures. They opposed cleaner pictures, too, but they made more money since they removed the "dirt" from pictures. That is exactly what will happen when the Neely Bill becomes a law: they will make more money than they have ever dreamed of making. Their opposition to it comes only from fear—the fear that it will not work for their best interests, and perhaps also because they do not want to let the "grip" they have on production-distribution be loosened.

Each independent exhibitor realizes that a greater number of box-office pictures could be produced; but they are not, and will not be so long as the present distribution system prevails.

TO ERR IS HUMAN

Mr. P. S. Harrison
HARRISON'S REPORTS
New York City.
Dear Mr. Harrison:

For a good many years the writer has followed your reviews closely. As a matter of fact it has been our constant and reliable guide for booking. We feel familiar with your phraseology, and with one exception you seem to always hit the nail right on the head; that is, if you call a picture mass entertainment, it invariably proves to be just that, and the same goes for family classifications, action pictures, etc.

Since in the writer's opinion you were so far off in the one exception spoken of, I feel inclined to advise you of it. On the strength of your report on "REMEMBER," from Metro, your issue No. 46, of November 18th, I cancelled the picture. However, when it brought in so many favorable comments from my patrons who journeyed to our neighboring city of Las Vegas to see it, I decided a mistake had been made and booked it in. Contrary to your thought, it did not prove particularly suitable for the sophisticated audience. Our patrons, constituting a fair cross-section of what you might call the masses, and they include the CCC boys, ate it up. The first part of the picture was a little slow, but when we have one that sends them out talking sufficiently that the second night holds its own with the first, then there is something unusual about the show itself.

Very truly yours,
EARL L. BROTHERS
Boulder Theatre
Boulder City, Nevada.

REMAKES

MGM has announced that it has acquired the rights to "Waterloo Bridge," the play by Robert E. Sherwood.

"Waterloo Bridge" was produced by Universal in 1931, with Mae Clarke and Kent Douglas. It turned out a deeply moving picture. But whether it bears remaking, that is a "horse of another color." The heroine is a cheap London prostitute; a young man of good family falls in love with her, and eventually she, too, falls in love with him, and through that love she becomes regenerated. But she loses her life when a bomb, released from a Zeppelin that was raiding London at that moment, falls near the place where she had been standing just after parting from her sweetheart, who was leaving for the front, his leave of absence having expired.

The producer may alter the plot. But if he does, it is hard to say whether the story material will be improved or not.

Universal has announced that it is remaking "Alias the Deacon."

This company produced this picture, in silent form, in 1927, with Jean Hersholt in the leading part. It turned out a very good comedy-melodrama. The hero is a gambler who, by assuming an air of simplicity and of piety, is able to "skin" everybody. And yet he has good traits; he never hesitates to help those in need. It should make a good comedy-melodrama again if it should be handled properly.

BOX-OFFICE PERFORMANCES

Columbia

1938-39

"Clouds Over Europe": Good-Fair.
"Parents On Trial": Fair-Poor.
"Good Girls Go to Paris": Good-Fair.
"A Woman Is the Judge": Fair.
"The Man from Sundown": Fair-Poor.
"Blondie Takes a Vacation": Good-Fair.
"Behind Prison Gates": Fair-Poor.
"Coast Guard": Fair-Poor.
"Man They Could Not Hang": Fair.
"Five Little Peppers and How They Grew": Fair-Poor.
"Riders of Black River": Fair.
"Konga, the Wild Stallion": Poor.
"Golden Boy": Very Good-Fair.

Forty-five pictures, excluding four westerns, have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent, 1; Excellent-Good, 1; Very Good-Fair, 1; Very Good-Poor, 1; Good, 1; Good-Fair, 8; Good-Poor, 5; Fair, 5; Fair-Poor, 21; Poor, 1.

1939-40

"Hidden Power": Fair-Poor.
"Outpost of the Mounties": Poor.
"Those High Grey Walls": Fair.
"U-Boat 29": Fair.
"Scandal Sheet": Fair.
"Mr. Smith Goes to Washington": Excellent-Very Good.
"Beware Spooks": Fair-Poor.

Seven pictures have so far been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 1; Fair, 3; Fair-Poor, 2; Poor, 1.

First National

1938-39

"Daughters Courageous": Very Good-Good.
"The Cowboy Quarterback": Fair-Poor.
"Each Dawn I Die": Excellent-Fair.
"Angels Wash Their Faces": Very Good-Fair.
"Everybody's Hobby": Fair-Poor.

Twenty-six pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent, 1; Excellent-Very Good, 1; Excellent-Good, 1; Excellent-Fair, 1; Excellent-Poor, 1; Very Good-Good, 2; Very Good-Fair, 4; Very Good-Poor, 1; Good-Fair, 2; Good-Poor, 2; Fair, 1; Fair-Poor, 9.

1939-40

"The Old Maid": Excellent-Good.
"Dust Be My Destiny": Very Good-Fair.
"No Place to Go": Fair-Poor.
"Espionage Agent": Fair-Poor.
"On Your Toes": Fair-Poor.

Five pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Good, 1; Very Good-Fair, 1; Fair-Poor, 3.

HARRISON'S REPORTS

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KENT'S AND ZANUCK'S COURAGE

According to a special dispatch from San Francisco, printed in the January 26 issue of the *New York Times*, Mr. Carey Williams, chief of the State Division of Immigration and Housing, testified before the Senate Civil Liberties Committee, which is holding hearings in that city, about the effect that the influx of dust-bowl refugees has upon civil liberties. There are, he said, three kinds of housing for mobile labor: private labor camps, auto trailer camps, and shack towns. Conditions in all three, he stated, are deplorable. About 145,000 men, women, and children live in such camps a substantial part of each year, the average number of occupants per room in the cabins of one of the big cotton counties being nearly five.

Mr. Williams said that the labor camps in agriculture are invariably located upon the premises of the employer, a fact which, in itself, exercises, in his opinion, a somewhat coercive influence upon employees, for they live under the constant scrutiny of foremen, contractors, and ranch managers.

These labor camps afford a close parallel, he said, to company towns in the mining industry. "It is difficult for the residents of these camps to exercise the right of freedom of assembly." When labor disputes occur the employers invariably call the sheriff's office as well as the county health office at once so as to obtain the assistance of their officials for summary evictions from the camps.

President Roosevelt himself, in his speech to the White House Conference on Children in Democracy, held two weeks ago, said: "There are 500,000 Americans that live in the covers of that book. I would like to see the Columbia Basin devoted to the care of 500,000 members of the *Grapes of Wrath*."

Judging by the testimony of Mr. Williams, from the President's remarks, and from information obtained from other sources, the conditions that have been described in "Grapes of Wrath," the Steinbeck book, have not been exaggerated. Consequently, the Twentieth Century-Fox picture, which is based on this book, presents conditions as they really are. If anything, these conditions have been toned down in it: the vulgar talk has been eliminated by Mr. Nunnally Johnson, the scenarist; and Mr. John Ford, the director, has handled the most challenging sequences with tact and good taste.

Before the picture was produced, many persons connected with the motion picture industry had their misgivings as to whether the picture-going public would accept so strong a fare as that contained in the Steinbeck book, but judging by the reception that the picture has had at the Rivoli, this city, where it opened its engagement last week, one

cannot help coming to the conclusion that "Grapes of Wrath" will, despite its stark realism, be accepted by the picture-going public with enthusiasm everywhere.

Much pressure was brought on both Mr. Kent, president of Twentieth Century-Fox, and on Mr. Zanuck, the company's production head, to induce them to abandon production of this controversial book. It is said that even threats were uttered against the company. All the more, then, do these executives deserve credit for their courage in going ahead with their production plans and completing the picture.

Throughout the world's history there are innumerable instances where novelists and playwrights brought about the elimination of evils existing either in government or in civil life by castigating such evils in their works. Just to mention two authors: Aristophanes, the Greek comedy playwright, of the 4th Century B.C., and of Charles Dickens, the English novelist. Consequently, one would not go far wrong if one were to say that "Grapes of Wrath," both the book and the picture, will bring about the amelioration of the migrants' condition, which these works portray so forcefully—particularly the picture.

HARRISON'S REPORTS congratulates Messrs. Kent and Zanuck for having produced a picture that does credit to the industry.

LET THE PRODUCERS SAVE THE COST OF THE SURVEY

"Strong possibility looms," says the January 10 issue of *Variety*, "that the motion picture industry in the spring will employ a professional agency to send interviewers into thousands of homes of every type in every part of the country to determine why people are not attending films. It'll be a takeoff on a radio survey."

"While business statistics indicate a decided upturn in basic industries and agriculture—which it is figured should be reflected in increased theatre attendance—there is no proportionate gain at the boxoffices. Fact is, confidential Hays office figures show that film admissions during 1939, with the average admission price lowered, have been considerably below expectations."

"Problem of what is keeping the public away from theatres is one for which production, distribution and circuit execs have been unable to find a satisfactory answer. They feel it is one of the toughest nuts the industry has ever been called upon to crack and one that is vital to its future existence"

(Continued on last page)

"Chasing Trouble" with Frankie Darro and Marjorie Reynolds

(Monogram, January 30; time, 63 min.)

There's not much to recommend in this comedy-melodrama. The story is too silly to be taken seriously, and the production values are not very good. Nor is the direction or acting of much help. The best that can be hoped for it is that it may entertain youngsters, who might be intrigued by the actions of the young hero in apprehending spies. The romance is of minor importance:—

Frankie Darro, who worked as delivery boy in a florist shop, spends all his spare time studying the science of handwriting. He annoys not only his employer but his mother as well, for his studies lead him to interfere in other persons' affairs. The thing uppermost in his mind was to obtain a position and also a fiance for Marjorie Reynolds. Having seen the handwriting of Alex Callam, he decides he is the man for Miss Reynolds. Callam, a spy, makes Darro believe he was a G-Man. Darro contrives to bring Miss Reynolds and Callam together, and is happy when they start going out. He does not know that Callam was using her as a means of passing on his signals to his gang, who were carrying on sabotage work. Milburn Stone, a young newspaper reporter who suspected Callam, starts investigating the case. He becomes acquainted with Miss Reynolds and shows an interest in her. Darro warns him to keep away. That is, until a new book he was studying shows him that Callam's handwriting proved he was a crook. Then he concludes that what Stone had told him was the truth, and that Callam was the spy, and that his own employer was connected with him. Darro and his assistant are captured by the gang; Darro overhears them planning to blow up an aeroplane factory by hiding a bomb in a floral decoration. He knew that Miss Reynolds was going to arrange the flowers. He and his assistant escape, and arrive at the factory just in time to prevent the explosion. Callam and his men are caught.

Mary McCarthy wrote the story and screen play, Howard Bretherton directed it, and Grant Withers produced it. In the cast are Mantan Moreland, George Cleveland, Lillian Elliott, and others.

Suitability, Class A.

"The Lone Wolf Strikes" with Warren William and Joan Perry

(Columbia, January 26; time, 66 min.)

A pretty good program melodrama. Not only is the action fast, but the story is interesting and fairly exciting. Since the "Lone Wolf's" exploits are this time on the side of the law, one is in sympathy with him. The methods he employs to outwit the crooks are contrived cleverly and they are amusing. Warren William, as the reformed crook, handles the part well. The romance is incidental:—

William, a reformed diamond thief, is visited by Addison Richards, who had once been his benefactor. Richards tells him how Astrid Allwyn and her partner in crime, Alan Baxter, had stolen from his partner a valuable pearl necklace and had then killed him. Since he did not have the proof with which to go to the police, he pleads with William to get the necklace back and to try to force Baxter to confess. William is hampered in his work by Joan Perry, the dead man's daughter, who insists on going along with him. William, by impersonating a famous European jewel dealer, manages to get in to see Miss Allwyn and Baxter and steals the necklace from them. But complications arise: Baxter holds Miss Perry prisoner, demanding the necklace from William for her release. William returns to Baxter's apartment, pretending to return the necklace. But what he really gives him is an imitation; he had given the original to Richards. But another gang, who themselves were after the necklace, kill Richards and steal the necklace. Again William uses a clever trick to outwit them: he spreads the news that they had the imitation necklace. Thus he brings them out into the open. They walk right into the trap set for them by William, and they are arrested. Miss Perry expresses her admiration for William.

Dalton Trumbo wrote the story, and Harry Segall and Albert Duffy, the screen play; Sidney Salkow directed it, and Fred Kohlmar produced it. In the cast are Eric Blore, Montagu Love, Robert Wilcox, Don Beddoe, and others.

Not for children. Suitable for adolescents and adults. Class B.

"Young As You Feel" with the "Jones Family"

(20th Century-Fox, February 16; time, 59 min.)

This picture makes one feel as if the producers are having difficulties finding worth-while stories with which to continue the "Jones Family" series. They would do better to drop the series rather than to produce something as trite and tiresome as this picture. The doings of the members of the family are just a repetition of their previous doings, only that this time they are slightly sillier. Noise and garrulosity have been substituted for action; because of that one loses interest in the outcome:—

"Mr. Jones" sells his drug-store to a chain, receiving \$5,000 in cash and \$25,000 in company stock. But he finds that leisure does not agree with him. Fearing that his young son, who had gone to New York to cover the World's Fair for the local newspaper, was getting into trouble, "Mr. Jones" decides to take the family to New York, first, to protect his son, and, secondly, to have a good time. When he meets his friends, he realizes why his son had wired home for \$300, for they were parasites. They lead the "Jones Family" on a merry round of night clubs and theatres, leaving all the bills for "Mr. Jones" to pay. "Mr. Jones," disgusted at what was happening, goes out for a walk. He stops at a local drug-store, makes the acquaintance of the owner, and in a short time starts drinking with him; they set out for a gay time and land in jail. In order to get rid of the parasites, "Jones" leads his family to believe that he had lost everything in the crash of the chain company in which he had owned stock. They start for home, all eager to help father. But when they arrive there, they learn, to their surprise, that he had sold his stock before the crash, and that he had wired his son-in-law to buy back the drugstore.

The story is by Lewis Beach, and the screen play by Joseph Hoffman and Stanley Rauh. Malcolm St. Clair directed it, and John Stone produced it. In the cast are Jed Prouty, Spring Byington, Joan Valerie, Russell Gleason, Ken Howell, George Ernest, June Carlson, and others.

Suitability, Class A.

"The Blue Bird" with Shirley Temple

(20th Century-Fox, March 22; time, 82 min.)

In spite of a lavish production, gorgeous technicolor photography, and capable performances, this fairy tale is just pretty good "kid" entertainment, but certainly not of road-show caliber. It is completely lacking in adult appeal; first, because of the nature of the story, and, secondly, because the action is slow-moving. There is only one outstanding scene—the forest fire, which is a masterpiece of technical ingenuity. The story has been handled in a heavy manner; considering that it is primarily children's entertainment, some of the dialogue given to Eddie Collins, as the dog-turned-man, is offensive. And some of the scenes may frighten little children. It should be good fare on matinees.

The story opens in the simple home of Daddy Tyl (Russell Hicks) and Mummy Tyl (Spring Byington), whose two children Mytyl (Shirley Temple) and Tyltyl (Johnny Russell) often play in the forest. Mytyl was a selfish girl, and always complained about their poverty. One night she and her brother receive a visit from Fairy Berylune (Jessie Ralph); she sends them out in search of happiness, which would necessitate their finding the Blue Bird. For companions, the Fairy gives them the family dog and cat by turning them into humans, the dog to be known as Tylo (Eddie Collins) and the cat as Tylette (Gale Sondergaard). They have many adventures, and are assisted in finding their way by Light (Helen Ericson). They meet Mr. and Mrs. Luxury (Nigel Bruce and Laura Hope Crews) and live with them for a time, but they are unhappy and leave. Eventually they return to their home and, to their surprise, find that the bird they had caught was blue; they then realized that they could find happiness in their own humble surroundings. This changes Mytyl into an unselfish and happy girl.

Ernest Pascal wrote the screen play from the story by Maurice Maeterlinck. Walter Lang directed it, and Gene Markey produced it. In the cast are Sybil Jason, Cecelia Loftus, Al Shean, Gene Reynolds, and others.

Suitability, Class A.

EDITOR'S NOTE: Paramount produced this picture in 1918.

"Wolf of New York" with Edmund Lowe, Rose Hobart and James Stephenson

(*Republic, January 25; time, 67 min.*)

A fairly good program melodrama. Even though the story is not novel, it holds one's interest, for the action is fast and at times exciting; and the production values are good. There is, however, one feature that an average audience may object to—that is, that an innocent young man goes to the electric chair. What makes this unpleasant is the fact that his death is not the result of the victim's desire to protect some one. Otherwise, the story offers good dramatic moments, some comedy, and a romance:—

James Stephenson, supposedly an honest stock broker, is in reality the head of a gang of bond crooks. Jerome Cowan, the District Attorney, is unable to cope with the situation, because of his inability to obtain evidence. Edmund Lowe, a famous criminal lawyer, is noted for his ability to obtain acquittals for his criminal clients. The police inspector (Charles D. Brown) is annoyed when Lowe obtains an acquittal for Ben Welden, a member of the gang of bond crooks. Brown starts investigating matters on his own, but one night he is slain. Maurice Murphy, a young ex-convict, whom Lowe had befriended and who worked in Stephenson's office, is arrested and charged with the murder. He is tried, convicted, and sentenced to the electric chair. Lowe is frantic, for he knew that the boy was innocent. He is unable, however, to obtain the proof of his innocence, and so the boy dies in the chair. After the boy's death, the real murderer makes a deathbed confession. Lowe is so heartbroken that he decides to give up his practice and go away. But Rose Hobart, the daughter of the murdered police inspector, feels that he should not leave. Since Cowan had resigned as District Attorney, Miss Hobart convinces the Governor that he should appoint Lowe. Lowe accepts the appointment, and sets to work cleaning up the city. He succeeds in getting the proof he needed against Stephenson and his gang. He then marries Miss Hobart.

Leslie T. White and Arnold Belgard wrote the story, and Gordon Kahn and Lionel Houser, the screen play; William McGann directed it, and Robert North produced it. In the cast are William Demarest, Edward Gargan, Andrew Tombes, Ann Baldwin, and others.

Not for children. Suitable for adolescents and adults. Class B.

"Adventure in Diamonds" with George Brent and Isa Miranda

(*Paramount; rel. date not yet set; time, 76 min.*)

A fairly entertaining melodrama, with the diamond mines in South Africa as much of the background, and with the apprehension and arrest of diamond thieves as the theme. The action holds one's interest in a mild way. The scenes that show the method by which the diamonds are recovered from the clay in which they occur should prove of interest to most picturegoers. There is a romance:—

Despite the barbed wire fences and the strictest police supervision, uncut diamonds worth a fortune are stolen continuously from the mines. At Capetown arrives Isa Miranda, one of the confederates of the diamond thieves. On the same boat was George Brent, who, awed by her beauty, manages to strike up an acquaintance with her. Eventually he takes her and a supposed chance acquaintance, but really the head of the gang, to the mines on a pass he had obtained from his friend Nigel Bruce, head of the secret service guarding the mines. While at the mines, diamonds are passed to Isa by a confederate working for the mines. She was about to be caught with the goods when Brent, unwilling to see so beautiful a woman in jail, goes to her rescue; he takes the diamonds back from her just as she was about to be fluoroscoped. Later he takes the diamonds to Bruce. Brent is induced to aid the police in uncovering the thieves, and "bags" Isa. She is sent to jail. Later Brent, by showing to her that the gang she had been connected with had been committing crimes in their efforts to get hold of diamonds, induces her to aid him to capture the gang, promising her a pardon; she agrees. With her help, Brent eventually rounds up the gang, but not without risking his life. After obtaining a pardon for Isa they marry.

The plot has been founded on a story by Frank O'Connor; the screen play was written by Leonard Lee and Frank Schulz. George Fitzmaurice directed it and A. M. Botsford produced it.

Because it is a crook story, Class B.

"The Grapes of Wrath" with Henry Fonda, Jane Darwell and John Carradine

(*20th Century-Fox, April 19; time, 127 min.*)

A powerful novel has been transplanted to the screen, and, through John Ford's masterful direction, the picture retains both its power and flavor. It cannot be termed entertainment in the ordinary sense of the word, for it has no glamour or romance; nor does it make any concessions to the masses or try to "soft-pedal" the story as told in the novel. The most important omission has been the "dirty" talk, which naturally could not be spoken on the screen.

Technically, the picture is excellent, emotionally it is stirring; but it is not cheerful entertainment, for it shows the suffering, humiliation, and defeat of a group of farmers forced from their homes, living like animals, hopelessly trying to keep families together.

The fame of the novel has already made audiences for the picture, not only among those who have read the book, but also among those who have heard the book discussed, for it has created a decided controversy. But for this fact, the picture would be listed as entertainment primarily for serious-minded audiences, for the theme is depressing and sordid.

The story deals with the "Joad Family," farmers of the Dust Bowl, who are forced off their land, and who, lured by handbills asking for workers, travel to California, hoping to find work there and perhaps happiness. They travel by truck, which was loaded with some of their belongings, stopping off at times at camps, where they find others even worse off than themselves—starvation and utter hopelessness. Refusing to believe stories about the miserable treatment accorded the "Oakies" by California fruit growers, "The Joads" decide to find out about things for themselves. And they do find them just as bad as they had been described. Not only were people pitifully underpaid, but they had to contend with the brutality of private police. "Tom Joad" (Henry Fonda), in a fit of rage because of the unwarranted murder by a private officer of one of his friends, turns on the officer and kills him. Feeling that he would get his family into trouble, since he had a prison record, he takes leave of his mother, promising that some day they would meet again. The family travels on; but they had dwindled—grandma and grandpa had died, and the daughter's husband had abandoned her, leaving her with her unborn child.

The plot was adapted from the novel by John Steinbeck; Nunnally Johnson wrote the screen play, and produced it. In the cast are Charley Grapewin, Dorris Bowdon, Russell Simpson, O. Z. Whitehead, John Qualen, and others.

Although depressing, moral suitability Class A.

"British Intelligence" with Boris Karloff and Margaret Lindsay

(*Warner Bros., January 20; time, 60 min.*)

A fair program espionage melodrama. It holds one's interest, since the identity of the characters is not established until the end. Even though far-fetched, melodramas revolving around spies usually seem to hold an average audience in suspense, and this picture is no exception. It is a little slow in getting started, but it picks up speed, and becomes fairly exciting in the end. The romance is incidental. The action takes place during the first World War:—

Margaret Lindsay, supposedly a clever German spy, contacts Lester Matthews, an Englishman in the pay of the Germans. By appealing to the sympathies of a wealthy and important British family, he induces them to take Miss Lindsay into their home, for, in that way, she could obtain important information. She learns that the butler (Boris Karloff) was also a German spy, and that she was to take her orders from him. She expresses to him her great desire to meet the master-mind of the German spy system, but he tells her to have patience. Investigation on the part of the British Intelligence Department leads them to suspect Miss Lindsay, and they start watching her. Karloff overhears her telling the young son of the house that she was a British agent. He lures her to the basement of the house, and reveals to her that he was the German master mind, and that he intended to kill her. But she convinces him that she had to tell the young man that story for her own protection. The British secret service men follow them to the basement; Miss Lindsay manages to open the door so as to let them in. It is revealed then that she was actually a British agent. Karloff is killed trying to escape.

Anthony P. Kelly wrote the story, and Lee Katz, the screen play; Terry Morse directed it. In the cast are Bruce Lester, Leonard Mudie, Holmes Herbert, and others.

Suitability, Class A.

What is the use of sending investigators into homes to find out what is keeping people away from picture theatres? To begin with, it is unnecessary, for any ten year old should be able to give them the information free. He will tell them, for instance, that the majority of the pictures are not entertaining. If they should ask that ten year old child, "Why?", he would reply that he does not know. And that is the kind of reply that they would get from the general public.

But suppose that some of the persons that will be questioned are able to point out the reasons why most pictures are bad, will that do the producers any good? Not in the least, for they will go on making just as many poor pictures.

Why? Because of the system—the system that rewards incompetence and penalizes ability. There are in Hollywood today writers, producers, directors, and all the technical skill needed to make a far greater percentage of box office pictures than are now produced, but they don't get the chance—they are stifled, kept down.

And that is why those who are on top do not want to see the Neely Bill become a law. Why should they? If that Bill becomes a law, ability will be at a premium, and incompetence will be dislodged. Those who lack the knowledge will soon be displaced: the box office will do that. And do they want to lose their fat salaries?

The pity of it is that there are exhibitors, even though few, who are fighting the Neely Bill, the only thing that will bring about an increase in the number of box office pictures. They are complaining about business. They know that the cause of poor business is the poor pictures. And yet they, not only do nothing about it, but also put obstacles in the paths of those who are trying to help them. Right now, business conditions in this industry are just what they were in 1926, during the dying days of the silent picture. It took a jolt such as the talking picture caused to put the industry on its feet. What hope is there today of putting the industry on its feet other than producing pictures sanely and selling them on merit? If you are opposed to the Neely Bill, give these views a thought!

MAX COHEN'S ORGANIZATION FALLING APART

When the New York State Allied unit, the president of which is Max Cohen, was expelled from National Allied for having refused to follow the policies of that body on national issues, I predicted that it would not be long before it would fall to pieces, for no other reason except that Max Cohen would not follow the national body's policies which call for the protection of the interests of the independent theatre owners.

The first signs of dissolution were observed in Albany on Monday last week when, at a meeting of the Albany regional, six prominent members, after voting to support the Neely Bill, walked out on the state body; they felt that, after the expulsion, the state body lost its effectiveness as an exhibitor organization.

The six members in question are: Mitchell Connery (regional leader), Abe Stone, Clarence

Dropp, Bob Jenner, John Gardiner, and Charles Wilson.

And this is only the beginning.

National Allied should take steps to organize this territory under the leadership of some exhibitor who will be willing to make sacrifices for the common good—who will not be thinking only of his selfish interests.

JADED CRITICS SHOULD NOT REVIEW PICTURES

"We wonder," said Wilkerson in a recent issue of his *Hollywood Reporter*, "if those of us who sit in judgment of pictures have not, because of seeing so many pictures, become too close to production and if our viewpoint has not become entirely too critical! Has our feel of what constitutes a money maker and what may be considered as a flop become a bit jaded? . . .

"We have on our desk here, as an example of the above, the business that has been done by Mr. Hal Roach's 'Housekeeper's Daughter,' a picture that most of us here thought was not too good. But the ticket buyers evidently found something in it they liked, because the show is doing top business in almost every locality and will earn Mr. Roach a handsome profit. . . ."

Whether a critic has become too jaded or not is a question that depends on who the critic is. Any critic who pronounces a picture such as "The Housekeeper's Daughter" poor entertainment has become too jaded, indeed, and has no right to criticize pictures.

HARRISON'S REPORTS praised the picture highly. And the results have fully justified it.

SAM GOLDWYN'S TROUBLES

It seems as if Sam Goldwyn is in the position in which was Socrates in Aristophanes' play, "The Clouds." Like Socrates, he is suspended in the air, in a basket. Only that, instead of dispensing philosophy, like Socrates, from that position, Mr. Goldwyn is looking around for a place to alight, with his pictures. Warner Bros. said that they will not take "The Westerner," because they are afraid of a lawsuit; and if Warner Bros. won't have a picture of his, what other distributor will have his pictures?

This paper does not take the position that Mr. Goldwyn, in abrogating his distribution contract with United Artists, is wrong; nor that he is right: since it does not have any details of the controversy, it is naturally not in a position to judge correctly. But it does know one thing, that the exhibitor will suffer because of this controversy, for until it is settled, either in the courts or by negotiation, it is unlikely that he will be able to release his pictures. Thus the exhibitors will be deprived of the Goldwyn pictures at a time when more pictures are needed to keep the theatres going.

For the sake of the exhibitors, Mr. Goldwyn should attempt to settle his dispute with United Artists by arbitration. Certainly, if he is right, he should not fear to submit his complaint to an impartial arbitrator.

How about it, Mr. Goldwyn?

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THE UNFAIR TACTICS OF THE NEELY BILL OPPONENTS

In a full-page advertisement that was inserted in the January 17 issue of *Variety*, Messrs. Karl Hoblitzelle and Robert O'Donnell, of the Interstate Circuit, of Texas, appealed to all exhibitors to help defeat the Neely Bill, on the ground that it is detrimental to their interests. They call the Bill a destructive and oppressive piece of legislation, which eventually will ruin every exhibitor, whether affiliated or independent, expressing their opinion that, if the Bill should pass, there will not be a single person connected with the film business who will not feel sorry for having "shrugged this problem aside" as not being of his concern.

The gentlemen in question urge all exhibitors to take just five minutes of their time to read the Bill—to study Sections 3 and 4, so as to arrive at their own conclusions.

In their effort to prove Sections 3 and 4 destructive, they did not reproduce in their advertisement the full Sections, but said only: "(1) It makes it a criminal offense for a distributor to lease or offer to lease two or more features at a time, and (2) it makes it a criminal offense to lease a feature picture without submitting to the exhibitor an 'accurate synopsis of the contents of such film.'"

"Figure out for yourself," they said, "how this bill is going to increase the cost of marketing pictures, distributing pictures and *buying* pictures. Figure out for yourself who is going to pay for these increased costs. Consider that under its provisions there will never be a time when you will have any assurance of a sufficient flow of product to properly serve your theatre. Consider that as regards to film rentals you will be wholly helpless before the demands of the distributor as he releases each picture separately in the manner of his choosing and at his own terms."

They close the appeal as follows:

"Make it your business to find out what the Neely Bill is all about and when you do—acquaint your friends, your employees, your local organizations and clubs, and every one with an interest in the motion picture business with the danger, so that we may all go on record protesting this measure in Washington."

Before discussing this advertisement with a view to proving to you how unfair it is, let me call your attention to the fact that these two gentlemen are the very heads of a circuit which Judge Atwell, in the case of *United States vs. Interstate Circuit, Inc., et al.*, found guilty of having employed monopolistic practices to crush their competitors, in violation of the anti-trust laws.

The fact that Interstate Circuit was found guilty of having violated the anti-trust laws of the land, however, is not the point at issue, but the fact that they took part of the sentence from Section 3 (1) of the Bill and, by omitting what follows in that paragraph, tried to make it appear as if the exhibitors, when the Neely Bill becomes a law, will not be able to lease more than one film at a time. They told the exhibitors in their appeal to read the Bill so as to form their own conclusions about its destructiveness, but did not reproduce the entire paragraph to enable them to form such conclusions honestly and correctly. I call this a shabby piece of business. The subsequent language of that provision makes it clear that the Bill is designed to make unlawful, not block-booking, but full-line forcing. In other words, the exhibitor will be able to buy as many pictures as he wants to, but the distributor will not be able to compel him to take pictures that he does not want to book as being unsuitable to his patronage. But Messrs. Hoblitzelle and O'Donnell did not bother with such a trifle; they wanted to frighten the exhibitors into fighting the Bill, and an explanation of such a little detail would neutralize their efforts.

Similarly misrepresenting the purport of the Bill are their other statements.

Messrs. Hoblitzelle and O'Donnell do not want full-line forcing outlawed. Why should they? Under the present system, they are not under an obligation to buy all the pictures of a distributor, whereas the small exhibitors are: like other big circuits, they have selective contracts, enabling them to accept whatever pictures suit their purposes and reject whatever they do not want, whereas the small exhibitors must buy everything a producer makes. If the Neely Bill should become a law, the small exhibitors, too, would enjoy the same privileges. Can you blame them then for spending money to convince you that the Neely Bill is not good for you? Do they want stiffer competition?

One of the arguments the producers put forward in an effort to convince the small exhibitors that it is detrimental to their interest is their belief that, if the Neely Bill became a law, the circuits would have all the advantages; consequently, the small exhibitors would not be able to obtain the quality of films they are obtaining now. If that were true, how is it that the heads of so powerful a circuit as Interstate Circuit, are yelling like Comanche Indians against the Bill? If the Bill were so advantageous to the big circuits, how is it that Messrs. Hoblitzelle and O'Donnell have come out against it, buying advertisements in trade papers to convince you that it is not good for any exhibitor? Isn't this an inconsistency?

I have discussed the Neely Bill and its predecessors in these columns, analyzing it from every angle, and have come to the conclusion that it will, in my opinion, prove of benefit, not only to the exhibitors, but also to the producers. As time goes on production will so adjust itself that much of the trash will be eliminated: when the producers are compelled to sell their pictures in an open market, and when the price their pictures bring in will be founded on merit, they will have a greater incentive to produce money-making pictures. There has been no change in the business since 1928, and it is now at such a low ebb that a change of some kind is needed to revive it. And the Neely Bill will effect just the change that is needed.

ABRAM F. MYERS' TALK BEFORE THE SCREEN WRITERS' GUILD

Last year, the Screen Writers' Guild opposed the Neely Bill. At the hearings of the Bill before the sub-committee of the Senate Committee on Interstate Commerce, Mr. Ralph Block, the Guild's representative, read a paper giving his association's reason for being against it.

A few weeks ago the directors of the Guild decided to oppose the Bill again, but when the action was placed before the membership, some of the members expressed an opinion that the Guild should not be stampeded into opposing the Bill. All the facts should be placed before them, they said, so that they may be enabled to decide intelligently.

It was then that the suggestion for an open discussion was made. Accordingly, an invitation was sent to Allied States to send a representative to argue its side.

The invitation was received when the Allied Board of Directors was meeting in Washington, and because it had a ring of sincerity in it the board decided to send Mr. Myers to present the association's side. An invitation was sent also to Mr. Hays, but Mr. George Schaefer, president of RKO, appeared instead of some one connected directly with the Hays office.

Mr. Myers was received by the Guild with great courtesy and, judging by the mimeographed copy of his speech, he made an excellent presentation of the side favoring the passage of the Bill, to a gathering of about 200 members. Extracts of his speech will be reproduced in these columns from time to time—the editorial space is too small to permit reproduction in its entirety.

(Continued on last page)

**"Hidden Enemy" with Warren Hull
and Kay Linaker**

(Monogram, January 20; time, 63 min.)

A fair program espionage melodrama. The story is somewhat far-fetched; but, since the action is fast, one's attention is held fairly well. Although an attempt is made to hide the heroine's identity, so as to keep the audience guessing, it is quite obvious to one what her interest in the matter was and what country she was connected with. Audiences that are not too discriminating about logical plots may find it diverting. The romance is incidental:—

Warren Hull, a newspaper reporter, is discharged because of his failure to cover a story in which it was discovered that a so-called "professor" was a dangerous spy. He becomes acquainted with Kay Linaker, who claimed to be a newspaper reporter; but Hull, by checking with the newspaper that she claimed she was connected with, learns that she was not with them. He suspects that she was in some way connected with the spies. Hull's father had discovered a new metal that would revolutionize the acroplane industry. Various spies seek to obtain the formula; when one is successful in stealing it, another spy steps in and gets it. Miss Linaker is the last one to get it. The other spies threaten her life unless she would turn it over to them; she gives them only part of the formula. Eventually the whole thing is cleared up, and the spies are caught. The plans for the new metal are sent to Washington. Hull then learns that Miss Linaker was employed by a private American organization that had been formed to combat espionage in the United States.

C. B. Williams wrote the story, and he and Marion Orth, the screen play; Howard Bretherton directed it, and T. R. Williams produced it. In the cast are William VanBrinken, George Cleveland, William Costello, and others.

Suitability, Class A.

"Sidewalks of London" with Charles Laughton and Vivien Leigh

(Mayflower-Paramount, date not set; time, 85 min.)

This British-made picture offers fairly good mass entertainment. The story is not unusual, nor are the characters, with the exception of the hero, particularly appealing. Yet it has been given a good production; and the acting by the two leading players is so competent, that one's interest is held well. The fact that Vivien Leigh is in the cast should add to the picture's value at the box-office, for, since the release of "Gone With the Wind," her name has become known throughout the United States. The first half offers novelty of setting, since it introduces a form of London street entertainment unknown to most Americans. One's sympathies are directed towards the hero, who suffers because of the heroine's selfishness:—

Charles Laughton, a London street entertainer, becomes interested in Miss Leigh, a young hoyden. Knowing that she was without funds and would not hesitate to steal, he takes her to his boarding house where he gives her food and shelter. Feeling that she had talent, he starts to train her, the idea being to have her join him and his two companions in a street act. The act is well received; as a matter of fact it is seen and enjoyed by Rex Harrison, a well-known song writer; he is interested particularly in Miss Leigh. He invites her and her companions to a party at his home, but Miss Leigh, having quarreled with Laughton, does not tell him of the invitation, but goes alone. She attracts a well known musical comedy producer, who offers her a chance in his new show. In the meantime, Laughton stays up all night waiting for her. When she arrives home, he berates her for having worried him, and confesses his love for her, asking her to marry him; but she shouts her refusal, telling him that she was going on the stage. Laughton leaves in disgust. She soon becomes a top-ranking star, and receives an offer from Hollywood. But she is callous, using men and their love for her just to further her career. She suddenly suffers from pangs of conscience and seeks out Laughton, only to find that he had taken to drink. She tries to help him get a part in her play; but he, realizing that he was not good enough, takes leave of her. She runs after him, crying and begging him to stay with her, but he convinces her that her place belonged in the theatre and his in the street, as a common entertainer.

Clemence Dane wrote the story and screen play. Tim Whelan directed it, and Erich Pommer produced it. In the cast are Larry Adler, Tyrone Guthrie, Gus McNaughton, Bart Cormack, and others.

Suitability, Class A.

"Little Old New York" with Alice Faye, Fred MacMurray, Richard Greene and Brenda Joyce

(20th Century-Fox, February 9; time, 100 min.)

Despite the expenditure of a large sum of money to produce it, "Little Old New York" is only a fairly good entertainment. It is supposed to have been founded on the play of the same name by Rida Johnson Young, but there is no similarity between this story and the Young play, except in one particular—the construction of the first steam boat by Robert Fulton. A silent picture was produced with this title, based on the Young play, in 1923; it was made by Cosmopolitan Productions, Sidney Olcott was the director, and Marion Davies the star. But that picture was really founded on this author's play, and it turned out excellent entertainment. It was a comedy, with an appeal to the emotions of sympathy; but the present version is a melodrama, of the nerve-shattering type. The bar-maid role given to Miss Faye is not particularly suited to her talents, nor is it a pleasant part. The scene where she invades the home of a rich man during a dinner party in an effort to help the hero is artificial. The picture's best part is where the ship's machinery is shown working and making the ship run. A romance is interwoven in the plot:—

Robert Fulton (Richard Greene) comes to New York from London carrying with him a model of a steamboat he planned to build. He lodges at Pat O'Day's (Alice Faye's) inn, where she ran a bar which Charlie Brown (Fred MacMurray) frequented. Fulton makes an enemy of Regan (Ward Bond), shipyard boss, who tries to interfere with his plans. Fulton is disappointed when rich Chancellor Livingston (Henry Stephenson) refuses to finance the building of the boat, but Harriet Livingston (Brenda Joyce), his niece, who had been attracted to Fulton, induces her uncle to reconsider. The first hull is destroyed by Regan, who sets fire to it. Fulton and his friends, helped by Livingston, raise money and build the second hull. The ship is built but the embargo which the United States had declared against English shipping prevented Fulton from disembarking the engine, which had just arrived from England. Through a ruse, however, he gets it off the ship. The ship is fitted with engine and boiler, and the first attempt at navigating it succeeds. Fulton becomes engaged to Henrietta, and Charlie to Pat.

Henry King directed it, and Raymond Griffith produced it. In the cast are Robert Middlemass, Roger Imhof, Theodore VonEltz, Fritz Feld, and others.

Suitability, Class A.

"Lambeth Walk" with Lupino Lane

(MGM, January 26; time, 65 min.)

This British-made comedy with music is somewhat amusing. But it is not for the American masses; the accents are "thick," and some of the situations and slang expressions are so British that they will be completely lost on American audiences. Moreover, the players are not known here. The story is treated in a comedy vein, particularly in the characterizations of the members of the titled classes:—

The story deals with Lane, who lived at Lambeth Walk, a poor section of London. He was a happy-go-lucky person until it was discovered that he was the missing heir to titles and estates. According to the will, he was to live at his ancestral home, under the supervision of his aunt and uncle. If, at the end of a certain period of time, they considered him fit, he would inherit the wealth and titles. But he is unhappy because his aunt forbade him to see his girl friend (Sally Gray). Miss Gray, fearing that Lane would give up his titles for her, purposely goes to a party at his home attired in vulgar clothes, accompanied by noisy friends. But she makes a hit with the guests, who join her in dancing the "Lambeth Walk." Nevertheless the aunt orders her out. Lane's uncle takes a liking to the girl, and decides to show his wife that Miss Gray could be made to look and act like a lady. He buys her an expensive gown and presents her at a party given by Lane's relatives. They are so pleased with the change, that they accept her; Lane marries her.

Paddy Carstairs wrote the screen play, and Albert de Courville directed it; Anthony Havelock-Allan produced it. In the cast are Seymour Hicks, Norah Howard, Enid Stamp-Taylor, and others.

Some of the remarks are somewhat suggestive; therefore, not for children. Suitable for adolescents and adults. Class B.

"Over the Moon" with Merle Oberon and Rex Harrison

(United Artists, March 29; time, 78 min.)

This British-made romantic comedy, photographed in technicolor, has been produced lavishly. The story is thin; but it has glamour and may, therefore, prove entertaining. It should appeal particularly to women, because of the gorgeous clothes and rich backgrounds. Moreover, it offers a panoramic view of most of the famous spots of Europe; this is tied up with the story, since the wealthy heroine travels from place to place in her quest for gaiety. For all its lavishness, it is not a big picture; but it has some good comedy situations and romance, and should fare well in class houses:—

Merle Oberon learns, to her amazement, that her skinflint grandmother had left her an enormous fortune, which made her the richest girl in the world. She had always lived a simple life in the country, and is dazed by the sudden publicity. But her wealth brings her unhappiness, for the country doctor (Rex Harrison) to whom she was engaged, refuses to marry her because of her money. Annoyed, she decides to take the advice of a distant relative, who was a fashionable parasite, to buy beautiful clothes, live luxuriously, and see the world. In addition to this relative, three other parasites join the party—one woman and two men. Both men, who lived off the bounty of others, vie with each other for Miss Oberon's affections, for both wanted to marry her. But she could not forget Harrison. In the meantime, Harrison, by virtue of the publicity he had received when he had jilted Miss Oberon, is offered a post at a fashionable sanitarium, which he accepts. The women patients pursue him. Miss Oberon travels from place to place with her four companions. She meets a mysterious man, whom she takes for a crook. When she offers him money with which to get a fresh start in life, he reveals to her that he was the richest young man in the world and, like her, was unhappy. He suggests that she give up her foolish way of living and settle down; as a matter of fact, he asks her to marry him. But she goes after Harrison; he agrees to take a vacation with her in Italy. She eventually convinces him that he should marry her.

Robert Sherwood and Lajos Biro wrote the story, and Anthony Pelissier and Alex Coppel, the screen play; Thornton Freeland directed it, and Alexander Korda produced it. In the cast are Ursula Jeans, Robert Douglas, Louis Borrell, Mackenzie Ward, and others.

Some of the talk is suggestive; suitability therefore Class B.

"Honeymoon Deferred" with Edmund Lowe and Margaret Lindsay

(Universal, February 16; time, 59 min.)

Just a fair program murder-melodrama with comedy. It attempts to follow the formula of the "Thin Man" series, by having a wife help her husband solve a case; but the routine has been used too often, and, since the plot development here lacks freshness, it fails to be particularly amusing. The identity of the would-be murderer and the reason for her actions are established soon after the opening, and so one's interest in the picture lies in watching the police solve the case. The romance is routine:—

Edmund Lowe, private investigator for an insurance company, who was about to leave on his honeymoon with Margaret Lindsay, is compelled to leave the ship on which they were to sail, in order to investigate the murder of a man who had been heavily insured by his company. Miss Lindsay follows him, and insists on helping him solve the case. The young adopted daughter of the murdered man is under suspicion, but Lowe, having known her for a long time and having spoken to her, is convinced of her innocence. It develops that the dead man had not been murdered but had committed suicide. Elisabeth Risdon, his sister-in-law, knowing that his insurance policy carried a clause with reference to suicide which would mean the loss to her of a large sum of money, had found his suicide note and had hidden it. She had then attempted to kill one of the other adopted children, who knew about the note and had tried to blackmail her. On finding out that Miss Lindsay had arrived at the truth, Miss Risdon tries to kill her; but the arrival of Lowe and the police prevent her from carrying out the crime. Miss Risdon is arrested. Lowe and Miss Lindsay finally set off on their honeymoon.

Roy Chanslor wrote the story, and he and Eliot Gibbons, the screen play; Lew Landers directed it, and Ken Goldsmith produced it. In the cast are Chick Chandler, Joyce Compton, Cliff Clark, Anne Gwynne, and others.

Some of the dialogue is suggestive; therefore, not for children. Suitability, Class B.

"I Take This Woman" with Spencer Tracy, Hedy Lamarr and Verree Teasdale

(MGM, February 2; time, 97 min.)

The best that can be said for this romantic triangle drama is that Spencer Tracy is in the cast, and that his popularity should insure for it at least a fair success at the box-office. The picture does nothing to further Hedy Lamarr's career, for, aside from looking beautiful, she is given little opportunity for acting. The fault lies in the story, which is so commonplace that each development is obvious to the spectator. And so, for all the lavishness of settings, and competency of performers, the picture offers just mild entertainment:—

Tracy, a doctor returning to America after doing research work abroad, prevents Miss Lamarr, one of the boat passengers, from committing suicide. She had had a disappointing love affair with Kent Taylor, who had promised to divorce his wife (Mona Barrie) and marry Miss Lamarr; but at the last moment he had changed his plans and had returned to America. Tracy suggests to Miss Lamarr that she find some serious work to do. Following his advice, she induces him to permit her to work in the clinic that he supervised in a poor tenement district. Tracy falls madly in love with her and proposes marriage; she accepts him. But even after marriage she cannot forget Taylor. Tracy, eager to give his wife luxuries, leaves the clinic and becomes a fashionable doctor. Miss Lamarr, after a visit to Taylor's apartment, finally realizes that she loved her own husband. She is overjoyed, and rushes to Tracy to make plans for a holiday. But that night Tracy finds out about her visit to Taylor, and decides to break up the marriage. The death of the daughter of a good friend, due to the incompetence of one of the doctors at his fashionable hospital, disgusts Tracy and he goes back to the clinic. In order to forget everything, he plans to return to Europe, but the pleas of his neighbors, in which Miss Lamarr joins, make him change his plans. He and Miss Lamarr are reconciled.

Charles McArthur wrote the story, and James K. McGuinness, the screen play; W. S. Van Dyke II directed it. In the cast are Lorraine Day, Paul Cavanaugh, Louis Calhern, Frances Drake, and others.

Not for children. Suitable for adolescents and adults. Class B.

"Isle of Destiny" with William Gargan and June Lang

(RKO, March 8; time, 83 min.)

This is presumably an outside picture that is being distributed by RKO, for, judging by production standards alone, it does not look like the regular pictures turned out by their studio. The Cosmocolor photography is fair, the direction is stilted, and the story is inane. Moreover, the action is slow; not until almost the end does anything exciting happen. So poorly is the melodramatic angle handled, that audiences will find it silly rather than exciting. Even the romance is unbelievable:—

June Lang, an aviatrix of note, arrives, with her mechanic, at Honolulu where her brother, Commanding Officer in the Marine Corps, was stationed. She attracts the attention of William Gargan and Wallace Ford, two private Marines, who vie with each other to make an impression on her; she shows a preference for Gargan. Gilbert Roland, who was conducting a gun-running business from a nearby island, was about to make an important shipment of guns; knowing that it would be dangerous if the Marines were about, he works out a scheme whereby he could get their attention diverted to something else. Being a flyer himself, he makes a bet with Miss Lang that he could beat her in a race to a certain island. But when he nears his own island, he pretends to make a forced landing; Miss Lang follows him down. She and her mechanic are made prisoners, and in a short time the mechanic, who tried to get a message through to the Marines, is killed. Miss Lang's brother sends out scouts to find his sister. But Gargan and Ford have their own ideas, and receive permission from Miss Lang's brother to make a search on their own. Gargan hides in Roland's plane, and Ford follows in a launch. Thus they get to the island. Gargan sends through a message to the Marines; until they arrive, however, he and Ford hold off Roland and his men. When the Marines arrive, all the conspirators are arrested. Miss Lang marries Gargan.

Allan Vaughn Elston wrote the story, and Arthur Hoerl, M. Coates Webster, and Robert Lively, the screen play; Elmer Clifton directed it, and Franklyn Warner produced it. In the cast are Etienne Girardot, Katharine DeMille, and others.

Suitability Class B for children, and A for adolescents and adults.

I haven't before me Schaefer's speech; consequently I can make no comment on it.

Following the speaking, questions were permitted.

The first to rise was Walter Wanger. He asserted that the Neely Bill was nothing but a censorship, and expressed surprise that Mr. Myers and Allied should support such a bill.

Mr. Myers denied that the Bill had any censorship features in it, and assured the audience that he and Allied were opposed to Federal censorship.

Wanger then demanded that Mr. Myers read the part of Section 4 of the Bill that refers to questionable subject-matter. Soon he flew into another tirade, but was stopped, being reminded that only questions could be asked.

Later Wanger asked Mr. Myers to tell him of the effect that the Bill would have on production of experimental pictures such as "Louis Pasteur," "Abe Lincoln in Illinois," "Of Mice and Men," "Grapes of Wrath," and of other pictures. Mr. Myers replied that the public would undoubtedly support biographical pictures such as "Louis Pasteur" and the like, but that pictures such as "Of Mice and Men" and "Grapes of Wrath" are too filthy to be permitted into the homes of Americans.

Some of those present disapproved, but after the meeting was over some of the members approached Mr. Myers and told him that they were glad that he had answered Mr. Wanger in the frank way by which he did.

The impression that this paper's correspondent gathered from these proceedings is the fact that most people in Hollywood expect the exhibitors to underwrite their experimentation, no matter how fantastic.

It was noticed that, during the evening's discussion, not a kind word was said about the exhibitor. He was blamed for everything, and was criticized severely for not getting behind the experimental pictures so as to put them over in a big style. It was pointed out by Mr. Schaefer that "The Informer" was one of the pictures that the exhibitors should have put over in that style, but Mr. Myers called his attention to the fact that the RKO theatre in Washington "jerked" that picture three days after its opening instead of keeping it on the board at least one week, and that this made it difficult for subsequent runs to do anything with it.

The members of the Guild will vote on the Neely Bill by mail, as it is their custom, but it is predicted that the majority will vote against it, for Hollywood wants the exhibitors to take everything that it dishes out, but no suggestions from them as to what should be produced.

IS THIS A HEALTHY INCREASE IN PICTURE THEATRE BUSINESS?

Figures released by the Internal Revenue Bureau show that admission tax collections in 1939 show an increase of \$214,974 over admission taxes in 1938. Total admission taxes in 1939 were \$19,876,311, whereas in 1938 they were \$19,661,337.

One of the trade papers calls this a "healthy increase." Is it? It is slightly more than 1%. Can such an increase be called healthy?

Many exhibitors would be glad to grant the film companies an increase of 1% over the rentals they paid in 1938. And this means, a 1% increase also in the number of percentage pictures.

When the salesman comes around to sell you product, show him these figures, and tell him that, because of the European war, the little increase that was shown in 1939 will be offset by the big drop in the theatre box-office receipts during 1940, for business is not as good as it was during 1939.

PICTURES NOW IN PRODUCTION

Columbia

"MEN WITHOUT SOULS," with John Litel, Barton McLane, Rochelle Hudson, Glenn Ford, and others, produced by Irving Briskin and directed by Nick Grinde. Program.

"THE DOCTOR TAKES A WIFE," with Loretta Young, Ray Milland, Gail Patrick, Reginald Gardiner, Edmund Gwenn, and others, produced by William Perlberg, and directed by Alexander Hall. Its box office value depends on Loretta Young.

MGM

"EDISON THE MAN," with Spencer Tracy, Charles Coburn, Gene Reynolds, Rita Johnson, Gene Lockhart,

Lynn Overman, Henry Travers, Regis Toomey, and others, produced by John Considine, Jr., and directed by Clarence Brown. At least very good.

"TWO GIRLS ON BROADWAY," with George Murphy, Lana Turner, Richard Lane, Wallace Ford and Kent Taylor, produced by Jack Cummings, and directed by S. Sylvan Simon. Fairly good to good.

"WATERLOO BRIDGE," with Robert Taylor, Vivien Leigh, Maria Ouspenskaya and others, produced by Sidney Franklin and directed by Mervyn LeRoy. From good to very good.

Paramount

"DESTINY," with Basil Rathbone, Ellen Drew, John Howard, Ralph Morgan, Kitty Kelly, and others, produced by George Arthur and directed by Tim Whelan. Fairly good to good.

RKO

"THE COURAGEOUS DR. CHRISTIAN," with Jean Hersholt and others, produced by William Stephens and directed by Bernard Vorhaus. Good program picture.

"CURTAIN CALL," with Barbara Read, John Archer, Alan Mowbray, Helen Vinson, and others, produced by Howard Benedict and directed by Frank Woodruff. Program stuff.

Twentieth Century-Fox

"I WAS AN ADVENTURESS," with Zorina, Richard Greene, Peter Lorre, Eric von Stroheim, Albert Conti, and others, produced by Nunnally Johnson, and directed by Gregory Ratoff. The first picture that Zorina appeared in ("On Your Toes") flopped. Producer and director are very skilful. If the story should be good, Zorina might have a chance to build herself up. At present, she does not mean much to the picture box office, even though she is a renowned dancer. Perhaps fair to fairly good business.

"VIVA CISCO KID," with Cesar Romero, Jean Rogers and others, produced by Sol M. Wurtzel, and directed by Norman Foster. Program.

"TWINKLE, TWINKLE, LITTLE STAR," with Linda Darnell, John Payne, Roland Young, Mary Healy, Charlotte Greenwood, William Gargan, Donald Meek, and others, produced by Kenneth Macgowan, and directed by Walter Lang. Good program.

"LILLIAN RUSSELL," with Alice Faye, Don Ameche, Henry Fonda, Warren William, Helen Westley, Weber and Fields, Ernest Truex, Nigel Bruce, Miles Mander, Leo Carrillo, Lynn Bari, Eddie Foy, Jr., and others; produced by Gene Markey and directed by Irving Cummings. With a story revolving around the famous stage actress, and with so formidable a cast, the picture should turn out a first-rate box-office attraction.

(To be continued next week)

BOX-OFFICE PERFORMANCES

Metro-Goldwyn-Mayer

1938-39

"Maisie": Very Good-Fair.

"Stronger Than Desire": Good-Fair.

"On Borrowed Time": Very Good-Fair.

"They All Come Out": Good-Fair.

"Andy Hardy Gets Spring Fever": Very Good-Good.

"Goodbye Mr. Chips": Excellent-Very Good.

"Miracles For Sale": Fair.

"Lady of the Tropics": Good-Poor.

"These Glamour Girls": Good-Fair.

"The Wizard of Oz": Excellent-Fair.

Fifty pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 4; Excellent-Good, 3; Excellent-Fair, 2; Very Good-Good, 6; Very Good-Fair, 7; Good, 1; Good-Fair, 14; Good-Poor, 8; Fair, 2; Fair-Poor, 3.

1939-40

"The Women": Excellent-Very Good.

"Blackmail": Good-Fair.

"Thunder Afloat": Good-Fair.

"Dancing Co-Ed": Good-Fair.

"Fast and Furious": Good-Fair.

"Babes in Arms": Excellent.

Six pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent, 1; Excellent-Very Good, 1; Good-Fair, 4.

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No. 7

AN EFFECTIVE EXHIBITOR ANSWER TO A NEWSPAPER ON THE NEELY BILL

The January 25 issue of the *Blade*, of Toledo, Ohio, had an editorial attacking the Neely Bill, expressing the hope that the House of Representatives will refuse to pass it.

Mr. Jack O'Connell, president of Community Theatres of Toledo, Inc., replied to the editor in a communication which, being long, was published in two consecutive issues.

Mr. O'Connell's reply is devastating by its intelligent presentation of facts. It is, in fact, so powerful that other exhibitors could use it, with slight alterations, in replying to other editors who may have declared themselves against the Neely Bill. I am sure that Mr. O'Connell could obtain copies for any one of you who would want to use it.

In going over the Toledo Blade's editorial one gathers the impression that the editor wrote that editorial, not from conviction, but from persuasion. In other words, he was made by some one to believe that the Neely Bill was detrimental to the interests of the industry. For instance, he says:

"Two common fallacies about block booking . . . should promptly be cleared up. The first is that, through block booking, local exhibitors are forced to take all or none of a company's productions, whether good or bad. Though this is a convenient excuse frequently advanced by exhibitors to patrons who object to some particular film, it is not at all the case. Proof may be found in the fact that the most popular pictures of each of six major producing companies were rented a total of more than 66,000 times in a recent season, while the least popular pictures of the same companies were leased only 18,000 times in the same season. In short, the exhibitor does not have to take a bad picture to get a good one . . ."

Mr. O'Connell replied partly as follows:

"The Blade stated that it is a 'fallacy' that the local exhibitors are forced to take all of a distributor's pictures whether good or bad. My only answer to that is that if you know that to be a fact then 14,500 exhibitors have been hoodwinked for 20 years. Not only has the independent exhibitor been forced to buy all of a company's product but he has had to pay exorbitant film rental for the better pictures on the programs.

"It is common knowledge that the pictures are not bought in blocks at one uniform price but in several price groups in a block. The distributor has the right to place any picture in any price bracket he sees fit . . ."

Mr. O'Connell then goes on to explain the interchangeability system, of prices as well as of classifications. He also discusses the cancellation provision, but proves to the editor that the exhibitor received no benefit from it.

Now, how did the editor of the *Blade* know that the better pictures of six major companies rented a total of more than 66,000 times, whereas their inferior pictures rented only 18,000 times? This is trade information, known only to the producers themselves. Consequently, the editor obtained his information from producers.

Obtaining information from such a source is not, of course, discreditable to a newspaper editor; after all, he must obtain his information from some source. And the producer source seems to him the most authentic. But, in putting his paper's reputation back of that information, this editor committed a great reportorial sin, for he did not consult both sides of this controversial question. He did not give a chance to the exhibitors to be heard before he put his endorsement on that information, which induced him to come out against the Neely Bill. It is not good editorial practice, and brands a paper unworthy of serious considera-

Had he consulted also exhibitors, he would have been given the information contained in Mr. O'Connell's letter, and more. For instance, he would have been told that the producers do not believe that full-line forcing (not block-booking, as it is erroneously called), is good for the business, for if it were they would be practicing it themselves. The producer-owned circuits, for example, do not practice block-booking (full-line forcing); they have master contracts, selective contracts, and what not, enabling them to reject whatever pictures will not, in their opinion, prove profitable to them, but the independent exhibitor is not vested with the same privilege.

There are many innocent persons who, like the editor of the Toledo Blade, believe that the discrepancy between the 66,000 times leasing of the better pictures and the 18,000 times leasing of the poorer pictures of the same six concerns, in the same picture season, proves that there is no block booking. But they have no way of knowing why this discrepancy, if true (for, after all, these figures are only the producers, uncheckered by exhibitor accountants). They are unaware, for example, that the poor pictures are not shown by the affiliate circuits, and by the few strong independent circuits, which, because of their buying power, are able, in most instances, to impose their will on the distributors. The number of leasings is diminished further by the limited working of the 10% cancellation clause, put into force since the NRA days, and continued to this day by most companies.

At first glance, these innocent persons might feel that, since there is a 10% cancellation provision, enabling the exhibitor to cancel one out of each ten of his pictures, he should not complain, least of all wish to saddle the industry with a Neely Bill, but they do not know that the producers deliberately make "cheats" just for the purpose of giving the small exhibitor a chance to cancel something.

Further, these innocent persons are unaware of the fact that the high-type pictures, such as "Gone With the Wind," "Babes in Arms," "Snow White" and others are given repeat engagements, thus swelling the number of contracts; they are also leased to theatres that do not show a producer's other product, because the producers, when it comes to their biggest attractions, forget "block-booking" (full-line forcing); they lease such pictures to any exhibitor who will pay the price. In other words, the producers have no block-booking on their big pictures, but have block-booking on their inferior grades.

The propaganda that the producers are carrying on against the Neely Bill is intensive. For this reason every exhibitor should adopt the method of Mr. O'Connell; he should reply to the editors, setting them straight.

A CORRECTION

In last week's article dealing with the talk Mr. Abram F. Myers made before the Screen Writers' Guild, in Hollywood, I stated that Mr. Myers, in replying to a question put to him by Walter Wanger as to whether under the Neely Bill the producer would be able to produce experimental pictures, replied as follows:

" . . . the public would undoubtedly support biographical pictures such as 'Louis Pasteur' and the like, but that pictures such as 'Of Mice and Men' and 'Grapes of Wrath' are too filthy to be permitted into the American homes." The way he put it to the members of the Screen Writers' Guild was as follows: " . . . in my judgment, the tendency would be against pictures based on books like 'Of Mice and Men' and 'Grapes of Wrath,' which are too filthy to be permitted in most American homes."

"What I meant (and what I said to Wanger)," Mr. Myers writes me, "was that the books were filthy, whereas the quoted sentence is susceptible of the interpretation that

(Continued on last page)

"My Little Chickadee" with Mae West and W. C. Fields

(Universal, February 9; time, 83 min.)

Individually both Mae West and W. C. Fields can provoke hearty laughter by their antics; together they are just as comical, for neither one cramps the style of the other. Instead they play up to each other very well and make a good team. Due to their efforts the picture offers good mass entertainment, in spite of the fact that the story is thin. Some of the situations and dialogue are pretty suggestive; yet it is difficult for one to take offense at it because of the comical way in which it is put over by the two stars. Miss West plays her typical part, that of the siren who lures all men by her charms; and Fields chatters in his customary style. The story takes place during the rip-roaring days of the old West:—

A masked bandit holds up the stage coach in which Miss West was riding; she was on her way to visit her aunt and uncle. After stealing the gold shipment, he kidnaps Miss West. A posse starts out in search of her, but she returns that night, and refuses to tell what had happened. The masked bandit visits her at her aunt's home, declaring his love for her. The town gossip (Margaret Hamilton) sees him leave Miss West's room and spreads the news. Miss West is ordered to leave town. On her way to another town, she meets Fields and notices that he had a bag full of money; she induces a gambler she knew to pose as a preacher and to pretend to marry her to Fields. Fields, having been dazzled by her charms, is happy to marry her. But to his disappointment, it turns out to be a marriage in name only. Miss West is enraged when she discovers that the bills in Fields' bag were just coupons. She attracts the attention of two men—Dick Foran, the town crusader, and Joseph Calleia, who ran everything, including the saloon. Calleia appoints Fields sheriff, hoping that he would get shot and thus make it possible for him to marry Miss West. In the meantime, Fields, eager to win Miss West's affections, poses as the masked bandit and goes to her room; she recognizes him and orders him out. He is caught leaving her room, and is arrested as the masked bandit. But Miss West, knowing that Calleia was the bandit, asks him to help her; without revealing his own identity, Calleia proves that Fields was innocent. Fields is released and leaves town. Miss West finds it hard to choose between Foran and Calleia.

Mac West and W. C. Fields wrote the screen play, Edward Cline directed it, and Lester Cowan produced it. Fuzzy Knight, Ruth Donnelly and others are in the cast.

Not for children or adolescents. Adult fare. Class B.

"Parole Fixer" with William Henry, Virginia Dale and Gertrude Michael

(Paramount, February 2; time, 57 min.)

This program gangster melodrama is not particularly exciting entertainment. Although the criminals pay for their misdeeds in the end, most of the action is taken up with their activities, which are pretty daring. The rough crowd that goes for pictures of this type will probably find this, too, exciting, for the action is fast and at times thrilling:—

William Henry and Lyle Talbot, two G-Men, are heartbroken when their pal (Jack Carson), also a G-Man, is murdered by Anthony Quinn, a convict who had been paroled through crooked channels. Paul McGrath, a crooked lawyer, induces Marjorie Gateson, a flighty society woman, to use her influence in obtaining petitions demanding the release of a certain criminal (Robert Paige). He leads Miss Gateson to believe that Paige was being persecuted. The head of the parole board, Richard Carle, who was being blackmailed by McGrath, is compelled to vote for Paige's release. When Paige is paroled, Miss Gateson gives him a position as her chauffeur. Paige works with McGrath and Quinn to kidnap Miss Gateson's daughter and her fiance, and hold them for ransom. Miss Gateson works with the G-Men, who suspect Paige's hand in the affair. She pretends not to suspect him. Eventually the G-Men, having all the evidence they needed, clamp down on the criminals and rescue the young people. They arrest the whole gang, including McGrath and Carle, who are prosecuted, receiving long-term sentences for their guilty actions.

The plot was adapted from J. Edgar Hoover's story "Persons in Hiding." William R. Lipman and Horace McCoy wrote the screen play, and Robert Florey directed it. In the cast are Virginia Dale, Richard Denning, Fay Helm, Harvey Stephens, Gertrude Michael, and others.

Not for children or adolescents. Adult fare. Class B.

"Village Barn Dance" with Richard Cromwell and Doris Day

(Republic, January 30; time, 71 min.)

This comedy, which presents several radio names, should prove fairly entertaining for small-town audiences. The plot is routine, offering little that might appeal to average spectators who patronize the larger theatres; the comedy is forced, the direction stilted, and the action, for the most part, silly. But proper exploitation of the radio names may help draw better than just average business, particularly in small towns. There is a romance:—

Richard Cromwell, an out-of-work college graduate, wanders into a small town, becoming acquainted with George Barbier, one of the leading citizens. Barbier likes him, and gives him a chance to work as the technician for their radio program, which was broadcast by residents of the town, through local sponsorship. Esther Dale, the richest woman in town, induces Andrew Tombes to bring his milk products plant to her town; he agrees on condition that the power and water works are adequate to handle his business. Miss Dale induces the merchants to endorse a loan in order to do the proper building. After the building is done, Tombes tells Miss Dale that everything depended on his son, to whom he had turned over the business. And, since the son was in love with Miss Dale's granddaughter (Doris Day), it meant that she would have to marry him, even though she loved Cromwell. When Barbier learns of the sacrifice, he refuses to permit Miss Day to go through with it. He and the members of the radio group, by means of a broadcast, stop Miss Day from marrying Tombes' son. They save the day by getting Tombes to sponsor a program advertising his product. With the money they would earn, they would then be able to pay back the loan they had made for the town's improvement. Miss Day and Cromwell plan to marry.

Dorrell and Stuart McGowan wrote the screen play, Frank McDonald directed it, and Armand Schaefer produced it. In the cast are Robert Baldwin, Lulubelle and Scotty, Barbara Jo Allen, Don Wilson, The Kidoodlers, and others.

Suitability, Class A.

"The Marines Fly High" with Richard Dix, Chester Morris and Lucille Ball

(RKO, February 2; time, 67 min.)

Just another comedy-melodrama, with the formula romantic twist in which two Marines vie for the attentions of the same girl. Except for a few skirmishes and the closing scenes, in which the Marines fight against a rebel native band led by a scheming white man, the action is confined to the romantic involvements. And, since the plot developments are familiar, the spectator is just mildly interested in the outcome:—

Richard Dix, an officer in the Flying Corps stationed in Central America, is in love with Lucille Ball, who owned a ranch in the vicinity; although she liked him, she refused to marry him, because she felt he had not yet settled down. She is angry when a newly arrived cafe dancer (Steffi Duna), who had been one of Dix's former girl friends, greets Dix with warmth when they go to the cafe. Miss Ball turns her attentions to Chester Morris, another officer, who had been trying to get her away from Dix. Miss Ball is kidnapped by a native rebel band, led by her foreman, a white man, who had been trying to set up a dictatorship. At the same time Dix is injured. Morris and a group of Marines set out to find Miss Ball; but Dix, because of his injuries, is not permitted to join them. Instead he is given a week's leave of absence. In the meantime, Miss Ball is freed, and sent back with the news that the plotters had disbanded and had crossed the border. She meets Morris and the Marines, and gives them the news; but, according to rules, they had to go to the hideout so as to make their report, little realizing that the band was waiting for them, and that it was all part of a trick. They are set upon and are forced to run for shelter. Dix, who had purposely taken a job to fly dynamite to a camp, so as to have a plane with which to join the hunt, sees the plight of the Marines. First he lands the plane and takes Miss Ball and Morris, who had been wounded, back to camp. He then sends help. The leader is caught and the revolution is stopped. Miss Ball realizes it is Dix she loved, and agrees to marry him.

A. C. Edington and Jerry Cady wrote the screen play, Ben Stoloff and George Nicholls, Jr., directed it, and Robert Sisk produced it. In the cast are John Eldredge, Paul Harvey, Horace McMahon, Dick Hogan, and others.

Suitability, Class A.

**"Dr. Ehrlich's Magic Bullet" with
Edward G. Robinson, Ruth Gordon
and Otto Kruger**

(First National, February 24; time, 102 min.)

Patterned on the order of "The Story of Louis Pasteur," Warner Bros. have again produced a scientific research picture that can, in excellence of production, acting, and story development, take its place with the "Pasteur" picture. In addition to the interesting manner in which the subject is presented, the story has strong dramatic and emotional situations, and holds one's interest throughout. The fact that part of Dr. Ehrlich's work consisted in trying to find a cure for syphilis, a subject that has not been touched on the screen heretofore, naturally places the picture in the adult class. But the producers deserve praise for the intelligent and highly interesting way in which they have handled the subject; certainly no one should be offended by it. Edward G. Robinson, as Dr. Ehrlich, is excellent; and mention must be made of a newcomer, Albert Basserman, in the part of Dr. Robert Koch, whose brilliant performance will be noticed by every one who sees the picture. The devotion of Dr. Ehrlich's wife to her husband gives the picture its human touch; otherwise there is no romance:—

Dr. Ehrlich suffers because of the bigotry and jealousy of his colleagues at the hospital where he worked. He is overjoyed when his friend, Dr. Emil Von Behring (Otto Kruger) brings his works in scientific research to the attention of the celebrated bacteriologist Dr. Koch (Albert Basserman). Dr. Ehrlich resigns from the hospital, so as to devote all his time to working on a cure for tuberculosis; he himself contracts the disease. The Koch Institute finances a trip to Egypt for Dr. Ehrlich and his wife, in order to effect a cure. While in Egypt, he treats two patients who had received snake bites, and through them comes upon a new theory of disease immunization. Upon his return to Germany, he becomes associated with the Koch Institute, and through his new theory works out a cure for diphtheria; this makes him a national hero. The Prussian Minister of Science (Donald Crisp) grants him a subsidy for further experimentation. During the following years Dr. Ehrlich and his assistants devote all their time in an effort to find a cure for syphilis. Just when it seemed as if they would be successful, the government cuts down its grant. But Dr. Ehrlich interests wealthy Frau Speyer, who grants him two million marks for research. After many discouraging experiments, the 606th experiment finally works. Doctors from all over the world demand that Dr. Ehrlich release the serum, which he does against his better judgment, for he felt that more work was necessary. Although many persons are cured by the serum, thirty-eight die. A certain Dr. Wolfert, who had always been jealous of Dr. Ehrlich, publishes a paper calling him a murderer for personal profit. Dr. Ehrlich starts a libel suit. At the trial, his case looks hopeless until Dr. Von Behring, who for a time had felt that Dr. Ehrlich was doing a hopeless job and had quarreled with him, testifies that, in his opinion, 606 was a perfect cure for the disease. Dr. Ehrlich is vindicated. When he dies, his associates mourn their loss.

John Huston, Heinz Herald and Norman Burnside wrote the screen play, William Dieterle directed it, and Hal B. Wallis produced it, with Wolfgang Reinhardt as associate producer. In the cast are Maria Ouspenskaya, Sig Rumann, Henry O'Neill, Edward Norris, Montagu Love, Donald Meek, and others.

Not for children; suitable for adolescents and adults.
Class B.

"Pinocchio"

(RKO, February 23; time, 87 min.)

Walt Disney's second feature-length cartoon is excellent entertainment. Technically it is far superior to "Snow White"; so marvelous is the animation that at times one has the feeling that the characters are real. But perfection does not stop with the characters. For instance, in one scene, smoke is seen rising from a whale. The cloud of smoke looks so real, that one cannot help admiring the technical mastery.

The color is magnificent, both in the outdoor and indoor scenes. Beautiful, too, are the underwater scenes.

The story is charming. Pinocchio is just what one would imagine a mischievous young boy to be like, and his conscience, in the form of Jiminy Cricket, is delightfully humorous. But they are not the only ones to draw one's attention: there is Geppetto, the kindly old woodcarver, who

makes the puppet Pinocchio and who, through his wish, brings life to the puppet; also Figaro the Kitten, and Cleo the fish; and on the villainous side, there are "Honest John" Foulfellow, the Cat Giddy, Stromboli the puppet master, the evil coachman, and Monstro the whale.

As in "Snow White," it is the little ingenious touches that fascinate one. So imaginatively and brilliantly executed are they, that the spectator is impressed deeply.

The story has comedy, human appeal, and excitement.

The most thrilling part is that which takes place near the end, when Pinocchio rushes to rescue Geppetto, who, with Figaro and Cleo, had been swallowed by the whale. Pinocchio manages to get inside the whale, so as to reassure Geppetto that he would save him. And save him he does, by making a fire inside the whale causing him to sneeze, and thus giving them their chance to rush through when his mouth opens. The ensuing chase by the whale is thrilling.

The situation that shows bad boys kidnapped and turned into donkeys should prove highly amusing to adults; although it may frighten children, it conveys a good moral, for it teaches them to be obedient and do the right thing.

The ending should delight all: The Blue Fairy, who had given life to the wooden puppet Pinocchio and had promised to turn him into a real boy if he should prove his worth, considers that Pinocchio's courage in rescuing Geppetto entitled him to become a human being. She thus brings happiness, not only to Pinocchio, but also to Geppetto, who had always wanted a son.

Class A.

**"Swiss Family Robinson" with
Thomas Mitchell, Edna Best
and Freddie Bartholomew**

(RKO, February 16; time, 93 min.)

Pretty good entertainment: it is an adventure story that should appeal particularly to youngsters. Adults, too, may enjoy it, especially those who have read the novel on which the picture is based, for it has been adapted with imagination and produced with skill. The musical score is excellent; it helps, for it heightens the dramatic effect, putting the spectator in the proper mood. Of course, the picture lacks strong box-office names; the exhibitors will, therefore, have to depend mostly on the fame of the novel to attract patrons. The action takes place during Napoleon's reign; but the story has been changed considerably:

Thomas Mitchell, wealthy and kindly, who lived with his wife and four sons in England, is disgusted with British society, and with the ruthlessness and horror of war. Fearful of what might happen to his growing sons, he sells his business and informs his family that they were all leaving for Australia, where they would settle and live a peaceful life. They are all unhappy at the thought of leaving England; one of the sons (Tim Holt) had planned to fight with Napoleon, and another (Freddie Bartholomew) had decided to marry an heiress so as to live a life of ease and luxury without working. But they all go. During the voyage they encounter a terrific storm, and the entire crew, including the Captain, are washed into the sea. When the storm abates the following day, Mitchell and his sons go on deck; the ship had been washed onto a rock. They spy an island, and, after much struggling, make a raft with which to take the family and some necessities to the island. Later Mitchell and one of his sons go back for more things, after which the ship sinks. They all work hard, and are happy; the island was a veritable paradise, offering them food and materials for building. Yet Mitchell's wife looks forward to the day when they would be rescued. They go through hardship when a storm breaks up their home, and are all the better for the experience. When a ship finally sights them, Mitchell refuses to leave, and his wife elects to remain with him and the two younger children. But the parents insist that the two older sons go back to take their place in the world. They leave their parents reluctantly.

The plot was adapted from the novel by Jean R. Wyss. Walter Ferris, Gene Towne and Graham Baker wrote the screen play, Edward Ludwig directed it, and Gene Towne and Graham Baker produced it. In the cast are Terry Kilburn, Bobby Qnillan, Christian Rub, John Wray, and Herbert Rawlinson.

Class A.

"Granny Get Your Gun," a Warner Bros. release, is just a minor program picture. Review next week.

I regard the pictures as filthy. I could not have said that with good grace because I have not seen the pictures."

There is no doubt that, among those present at the discussion in Hollywood, many interpreted Mr. Myers' statement as meaning that the pictures were filthy; hence the disapproval.

But what is Wanger so worked up about? He fears that the Neely Bill, if it should become a law, would make it impossible for the producer to produce such books as "Of Mice and Men," "Grapes of Wrath," and the like, acting as a sort of censorship. In other words, he appears to be worked up against censorship as much as against the abolition of "full-line forcing," which has been miscalled block-booking. How about Cain's "The Postman Rings Twice"? Was it a Neely Bill that prevented its production? And how about dozens of other books of the same type that were barred from the screen? Was it not a censorship that prevented their reaching the screen?

Mr. Wanger, of course, may call that type of censorship "self-regulation"! If so, then he believes that it is perfectly proper for the producers to have "self-regulation," decreeing what should and what should not be put into pictures, but not for the exhibitors, to enable them to say what should and what should not be put on their screens; they should accept anything that the arid minds of Hollywood produce. He believes that the exhibitor should accept his "Slightly Honorable," his "Winter Carnival," his "Fifty-Second Street," his "Vogues of 1938," his "I Met My Love Again," his "Blockade," his "Trade Winds," his "Private Worlds" (which dealt with insane people), his "You Only Live Once" (a vicious gangster picture)—accept his year's allotment of such pictures along with his occasional "Stage Coach."

Of course Walter Wanger is against the Neely Bill; he should be against any system that would make a picture's merit the sales basis, for a system of that kind would drive out of business all the incompetents.

Would Frank Capra care whether there was block-booking or not? Would S. S. Van Dyke, Frank Lloyd, Jack Ford, Leo McCarey, Frank Borzage, Edmund Goulding, or Ernst Lubitsch, just to mention a few?

AL STEFFES DOING WELL AT THE HOSPITAL

Most of you know, I am sure, that our Al Steffes, the Allied exhibitor leader and president of Allied Theatre Owners of the Northwest, was stricken with a heart ailment while attending the Allied board of directors meeting in the middle of last month in Washington. It did not seem possible that a person of Al's vigor and vitality should have experienced any physical trouble, but such are the human affairs.

But you will be glad to know, I feel sure, that he is doing mighty well, being on the way to recovery. Yet the doctors are not taking any chances of letting him out of the hospital prematurely; they told him that he had to stay in the hospital another six weeks.

Mr. Abram F. Myers issued the following statement on February 13:

"Al Steffes learned yesterday, following a consultation of doctors, that he will have to remain here for another six weeks. He takes it very philosophically but it is, nevertheless, a serious blow.

Allied leaders can contribute to the upholding of his morale by occasionally dropping him a good-humored note. Address: Room 217, Providence Hospital, Washington, D. C."

Cheering notes should be sent to Al, not only by the Allied leaders, but also by every exhibitor, no matter of what organization, leaders as well as members of the rank-and-file; a person who has dedicated his life to serving the interests of others as much as Al has done deserves every cheering word that can be said to him.

Producers and distributors, too, should do the same, for if Al has fought them hard he has always fought them fairly.

A USELESS INVENTION

According to a newspaper report, two Swiss inventors have devised a method by which the picture patron may smell the fragrance in picture scenes as well as see what is happening and hear what the characters are saying.

In the opinion of this paper, the two Swiss inventors who worked hard, for years undoubtedly, to perfect their invention have worked for nothing. A "smell track" on sound pictures is altogether unnecessary; most of the pictures smell anyway.

PICTURES NOW IN PRODUCTION

Twentieth Century-Fox

(Continued from last week)

"EARTHBOUND," with Warner Baxter, Andrea Leeds, Elizabeth Patterson, Lynn Bari, Charlie Grapewin, Christian Rub, and Henry Wilcoxon, produced by Sol M. Wurtzel, and directed by Irving Pichel. A picture under this title was produced in 1920 by Goldwyn Pictures Corporation. The plot had been based on the Basil King book of the same name, and dealt with a hero who, although he was adored by his wife and worshipped by his child, becomes infatuated with the wife of his chum. He realizes the falsehood of his position now and then, and yet he cannot break away from the woman; she has him under her spell. The wife is about to leave him when she informs the other woman's husband, who meets and kills her husband. The dead man's spirit is then seen roving around the earth, unable to leave it until it obtains the forgiveness of all those whom he had wronged. The murderer is tried and is sure to be convicted, but the dead man's spirit urges his wife to take the stand and defend the murderer. She does so and the murderer is acquitted. The dead man's spirit, after it obtains the forgiveness of all, departs.

If the Fox story is to be founded on the same book, the picture will no doubt turn out as powerful as the Goldwyn picture, but, like the Goldwyn picture, it may not draw at the box office, by reason of its theme—most people don't want to have any dealings with afterlife in their entertainment.

"SAILOR'S LADY," with John Hall, Nancy Kelly, Wally Vernon, Mary Nash, and others, produced by Sol M. Wurtzel, and directed by Allan Dwan. Program.

Universal

"IT'S A DATE," with Deanna Durbin, Kay Francis, Walter Pidgeon, Lewis Howard, Cecilia Loftus, Samuel S. Hinds, Virginia Brissac, Eugene Pallette, the Harry Owens orchestra and others, produced by Joe Pasternak, and directed by William Seiter. Just like the other Durbin pictures Joe Pasternak produces, from very good to excellent.

"ENEMY AGENT," with Richard Cromwell, Helen Vinson, Robert Armstrong, Jack LaRue, Charles Wilson, and others, produced by Ben Pivar and directed by Lew Landers. Program.

"ALIAS THE DEACON," with Bob Burns, Peggy Moran, Dennis O'Keefe, Virginia Brissac, Thurston Hall, Gunn Williams, Ed Brophy, and others, directed by Christy Cabanne. Good possibilities.

Warner Bros.

"SATURDAY'S CHILDREN," with John Garfield, Anne Shirley, Claude Rains, Lee Patrick, Frank McHugh, Elizabeth Risdon, Dennis Moore, Gertrude Nils, Roscoe Karns, and George Tobias, produced by Henry Blanke and directed by Vincent Sherman. It is the Maxwell Anderson play, which was produced at the Booth Theatre, January 26, 1927, playing to 167 performances. It was produced also as a picture, in 1929, but only part of it as a talking picture. It is a comedy, dealing with the efforts of a married sister to compel her unmarried sister to marry the young man she had been keeping company with. There is also some human interest. The cast is pretty good. Consequently the picture should do from fairly good to good business.

BOX-OFFICE PERFORMANCES

(Continued from last week)

Paramount

1938-39

"Grand Jury Secrets": Fair-Poor.
 "Heritage of the Desert": Fair-Poor.
 "Bulldog Drummond's Bride": Fair-Poor.
 "Man About Town": Very Good-Fair.
 "Million Dollar Legs": Good-Fair.
 "The Magnificent Fraud": Good-Fair.
 "Island of Lost Men": Fair-Poor.
 "Night Work": Fair-Poor.
 "Our Leading Citizen": Good-Poor.
 "Renegade Trail": Good-Poor.
 "This Man Is News": Fair-Poor.
 "The Star Maker": Excellent-Good.

Sixty pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 1; Excellent-Good, 1; Excellent-Fair, 1; Very Good-Good, 3; Very Good-Fair, 7; Very Good-Poor, 2; Good, 1; Good-Fair, 10; Good-Poor, 12; Fair, 2; Fair-Poor, 20.

HARRISON'S REPORTS

Vol. XXII

NEW YORK, N. Y., SATURDAY, FEBRUARY 17, 1940

No. 7

(Partial Index No. 1—Pages 2 to 24 Incl.)

<i>Titles of Pictures</i>	<i>Reviewed on Page</i>
Abe Lincoln in Illinois—RKO (109 min.)	11
Adventure in Diamonds—Paramount (76 min.)	19
Blue Bird, The—20th Century-Fox (82 min.)	18
British Intelligence—Warner Bros. (60 min.)	19
Brother Rat and a Baby—Warner Bros. (86 min.)	6
Cafe Hostess—Columbia (62 min.)	3
Calling Philo Vance—Warner Bros. (62 min.)	14
Charlie McCarthy, Detective—Universal (76 min.)	3
Chasing Trouble—Monogram (63 min.)	18
City of Chance, The—20th Century-Fox (57 min.)	2
Congo Maisie—MGM (70 min.)	14
Danger on Wheels—Universal (60 min.)	11
Diamonds Are Dangerous—Paramount (See "Adventure in Diamonds")	19
Earl of Chicago, The—MGM (86 min.)	6
Emergency Squad—Paramount (58 min.)	15
Enemy Agent—Warner Bros. (See "British Intelligence")	19
Escape to Happiness—United Artists (See "Intermezzo")	163/39
Fatal Hour, The—Monogram (67 min.)	14
Fighting 69th, The—First National (90 min.)	6
First Rebel, The—RKO (See "Allegheny Uprising")	175/39
Framed—Universal (60 min.)	15
Gates of Alcatraz—Columbia (See "Those High Grey Walls")	166/39
Grapes of Wrath, The—20th Century-Fox (127 min.)	19
Green Hell—Universal (87 min.)	14
He Married His Wife—20th Century-Fox (83 min.)	10
Hidden Enemy—Monogram (63 min.)	22
His Girl Friday—Columbia (91 min.)	3
Honeymoon Deferred—Universal (59 min.)	23
Invisible Man Returns, The—Universal (81 min.)	7
Invisible Stripes—Warner Bros. (81 min.)	2
Isle of Destiny—RKO (83 min.)	23
I Take This Woman—MGM (97 min.)	23
Judge Hardy and Son—MGM (88 min.)	15
Lambeth Walk—MGM (65 min.)	22
Little Old New York—20th Century-Fox (100 min.)	22
Lone Wolf Strikes, The—Columbia (66 min.)	18
Man Who Wouldn't Talk, The—20th Century-Fox (72 min.)	10
Money to Burn—Republic (66 min.)	3
Music in My Heart—Columbia (69½ min.)	7
My Son Is Guilty—Columbia (62 min.)	11
Of Mice and Men—United Artists (105 min.)	11
Oh, Johnny, How You Can Love—Universal (63 min.)	7
Over the Moon—United Artists (78 min.)	23
Remember the Night—Paramount (92 min.)	10
Saint's Double Trouble, The—RKO (67 min.)	15
Send Another Coffin—United Artists (See "Slightly Honorable")	7
Shop Around the Corner, The—MGM (98 min.)	10
Sidewalks of London—Paramount (85 min.)	22
Slightly Honorable—United Artists (84 min.)	7
Small Town Lawyer—Republic (See "Main Street Lawyer")	175/39
Spats to Spurs—MGM (See "Henry Goes Arizona")	203/39
Swanee River—20th Century-Fox (85 min.)	2
We're in the Army Now—20th Century-Fox (See "Pack Up Your Troubles")	158/39
Wolf of New York, The—Republic (67 min.)	19
Young As You Feel—20th Century-Fox (59 min.)	18

RELEASE SCHEDULE FOR FEATURES

Columbia Features

(729 Seventh Ave., New York, N. Y.)

1202	The Stranger from Texas—Starrett (54m.)	Nov. 2
1013	Blondie Brings Up Baby—Singleton	Nov. 9
1007	The Amazing Mr. Williams—Blondell	Nov. 23
1030	Cafe Hostess—Foster-Dvorak	Nov. 30
1211	Taming of the West—Bill Elliott (55 min.)	Dec. 7
1026	Fugitive at Large—Holt-Ellis	Dec. 7
1033	My Son Is Guilty—Cabot-Wells	Dec. 28
1203	Two Fisted Rangers—Starrett (62 min.)	Jan. 4
1018	Music in My Heart—Martin-Hayworth	Jan. 10
1033	His Girl Friday—Grant-Russell	Jan. 18
1019	The Lone Wolf Strikes—William	Jan. 26
1034	Convicted Woman—Hudson-Ford	Jan. 31
1212	Pioneers of the Frontier—Elliott (58 min.)	Feb. 1
	Five Little Peppers at Home—Fellows	Feb. 8
	Blondie on a Budget—Singleton-Lake	Feb. 29
1204	Bullets for Rustlers—Starrett (58 min.)	Mar. 5
	Outside the Three Mile Limit—Holt	Mar. 7
	Men Without Souls—Litel-Hudson	Mar. 14
	Too Many Husbands—Arthur-MacMurray	Mar. 21
	I Married Adventure—Mrs. Johnson (re.)	Mar. 28
1205	Blazing Six Shooters—Starrett (61 min.)	Apr. 1

First National Features

(321 W. 44th St., New York, N. Y.)

451	The Fighting 69th—Cagney-O'Brien	Jan. 27
	Castle on the Hudson—Garfield-Sheridan	Feb. 10
	Dr. Ehrlich's Magic Bullet—Robinson-Gordon-Kruger	Feb. 24

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

19	Congo Maisie—Sothern-J. Carroll	Jan. 19
22	Lambeth Walk—Lupino Lane-Sally Gray	Jan. 26
26	I Take This Woman—S. Tracy-Lamarr	Feb. 2
21	Broadway Melody of 1940—Powell-Astaire	Feb. 9
24	The Man from Dakota (Arouse and Beware)—Beery-Del Rio	Feb. 16
25	Northwest Passage—Tracy-Young-Brennan	Feb. 23
23	Strange Cargo—Gable-Crawford (re.)	Mar. 1

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

3912	Gentleman from Arizona—MacDonald (76m.)	Dec. 25
3930	Danger Ahead—Renfrew No. 4 (60 min.)	Jan. 10
3918	The Secret Four—Lee-Lawton	Jan. 15
3907	Fatal Hour—Karloff No. 1	Jan. 15
3922	Hidden Enemy (Front Page Lady)—Hull-Linaker	Jan. 20
3961	Pioneer Days—Randall (51 min.)	Jan. 25
3917	Chasing Trouble—Frankie Darro	Jan. 30
3924	East Side Kids—Moore-Barnett (62 min.)	Feb. 10
	Chryanne Kid—Jack Randall	Feb. 20
	Murder on the Yukon—James Newill	Feb. 25
	Rhythm of the Rio Grande—Tex Ritter	Mar. 2
	Human Monster—Bela Lugosi	Mar. 9
	Midnight Limited—King-Reynolds	Mar. 20
	Son of the Navy—Parker-Spellman	Mar. 30
	Tomboy—Jack Moran-Marcia Mae Jones	Apr. 5

Paramount Features

(1501 Broadway, New York, N. Y.)

3913	Llano Kid—Guizar-Dunn	Dec. 8
3914	All Women Have Secrets—Allen, Jr.	Dec. 15
3915	Gulliver's Travels—Cartoon	Dec. 22
3916	The Great Victor Herbert—Jones-Martin	Dec. 29
3917	Emergency Squad—Henry-Campbell	Jan. 5
3918	Geronimo—Foster-Drew-Devine	Jan. 12
3919	Remember the Night—Stanwyck-MacMurray	Jan. 19
3956	Santa Fe Marshal—Boyd (68 min.)	Jan. 26
3920	Parole Fixer—Henry-Dale-Paige	Feb. 2
3921	Light That Failed—Colman-Angelus	Feb. 9
3922	Sidewalks of London—Laughton-Leigh	Feb. 16
3923	Knights of the Range—Hayden-Parker (69m.)	Feb. 23
3924	Seventeen—Cooper-Field-Kruger	Mar. 1
3957	Showdown—William Boyd	March
3925	Women Without Names—Drew-Paige	March
3926	Road to Singapore—Crosby-Lamour-Hope	March
3927	The Farmer's Daughter—Raye-Ruggles (60m)	March

Republic Features

(1776 Broadway, New York, N. Y.)

952	Saga of Death Valley—Rogers (58 min.)	Nov. 22
962	Cowboys From Texas—Three Mesq. (57m.)	Nov. 29
941	South of the Border—Gene Autry (71 min.)	Dec. 15
953	Days of Jessie James—Roy Rogers (63m.)	Dec. 20
916	Thou Shalt Not Kill—Bickford-Davis, Jr.	Dec. 22
917	Money to Burn—J. Gleason-R. Gleason	Dec. 28
963	Heroes of the Saddle—Three Mesq. (57m.)	Jan. 12
918	Wolf of New York—Lowe-Hobart	Jan. 25
919	Village Barn Dance—Cromwell-Day	Jan. 30

RKO Features

(1270 Sixth Ave., New York, N. Y.)

005	Meet Dr. Christian—Jean Hersholt	Nov. 17
011	That's Right, You're Wrong—Kyser-Menjou	Nov. 24
008	Reno—Dix-Patrick-Louise	Dec. 1
013	Two Thoroughbreds—Lydon-Kerrigan	Dec. 8
015	The Hunchback of Notre Dame—Laughton	Dec. 29
082	Legion of the Lawless—George O'Brien	Jan. 5
016	Mexican Spitfire—Velez-Wood-Errol	Jan. 12
014	Married and In Love—Marshal-Read	Jan. 19
021	The Saint's Double Trouble—Sanders	Jan. 26
018	Marines Fly High—Dix-Morris-Ball	Feb. 2
007	Vigil in the Night—Lombard-Aherne	Feb. 9
019	Swiss Family Robinson—Mitchell-Best	Feb. 16

Twentieth Century-Fox Features

(44 W. 56th St., New York, N. Y.)

033	They Came by Night—Fyffe-Hulme	Feb. 23
034	Earthbound—Warner Baxter	Mar. 1
035	Charlie Chan in Panama—Toler-Rogers	Mar. 8
	No release set for	Mar. 15
025	The Blue Bird—Temple-Byington-Jason	Mar. 22
037	For Women Only—Bari-Davis-Wilcoxon	Mar. 29
038	I Was an Adventuress—Zorina-Greene	Apr. 5
039	The Cisco Kid in Chicago—Romero-Rogers	Apr. 12

United Artists Features

(729 Seventh Ave., New York, N. Y.)

The Real Glory—Cooper-Leeds-Niven-Owen	Sept. 29
Eternally Yours—L. Young-D. Niven	Oct. 12
The Housekeeper's Daughter—J. Bennett-Menjou	Oct. 26
Slightly Honorable—Pat O'Brien-R. Terry	Dec. 22
Raffles—Niven-deHavilland	Dec. 29
Of Mice and Men—Meredith-Chaney, Jr.	Jan. 12
The Lion Has Wings—Oberon-Richardson	Jan. 19
A Chump at Oxford—Laurel-Hardy	Feb. 16
House Across the Bay—J. Bennett-G. Raft	Mar. 1
My Son, My Son—M. Carroll-Aherne-Hayward	Mar. 22
Over the Moon—Oberon-Harrison	Mar. 29
1,000,000 B.C.—Chaney, Jr.-Landis	Apr. 5
(<i>Rebecca</i> , listed in the last Index as a January 19 release, has been postponed)	

Universal Features

(1250 Sixth Ave., New York, N. Y.)

Beginning of 1939-40 Season

4051	Mutiny on the Black Hawk—Arlen-Devine	Sept. 1
4010	The Under-Pup—Cummings-Grey	Sept. 1
4044	The Mikado—Kenny Baker	Sept. 8
4058	(4059) Desperate Trails—Brown (58m.)	Sept. 8
4024	Hawaiian Nights—Downs-Carlisle	Sept. 8
4017	Two Bright Boys—Cooper-Bartholomew	Sept. 15
4027	The Witness Vanishes—Lowe-Barrie	Sept. 22
4014	Rio—Gurie-Rathbone-Cummings	Sept. 29
4073	All Quiet on the Western Front—Reissue (93 min.)	Sept. 29
4035	Hero for a Day—Louise-Foran-Grapewin	Oct. 6
4052	Tropic Fury—Arlen-Devine	Oct. 13
4059	Oklahoma Frontier—Brown (58 min.)	Oct. 20
4019	Little Accident—Sandy-Herbert	Oct. 27
4074	The Road Back—Reissue (79 min.)	Nov. 3
4020	Call a Messenger—Carlisle-Armstrong	Nov. 3
4053	Legion of Lost Flyers—Arlen-Devine	Nov. 3
4030	One Hour to Live—Bickford-Nolan	Nov. 10
4012	Tower of London—Karloff-Rathbone	Nov. 17
4016	The Big Guy—McLaglen-Cooper	Nov. 24
4060	Chip of the Flying U—Brown-Baker (55m.)	Nov. 24
4026	Laugh It Off—Downs-Moore	Dec. 1
4054	Man from Montreal—Arlen-Devine-Sutton	Dec. 8
4028	Missing Evidence—Foster-Hervey	Dec. 15
4011	Charlie McCarthy, Detective—Bergen	Dec. 22
4002	Destry Rides Again—Dietrich-Stewart	Dec. 29
4021	Oh, Johnny, How You Can Love—Brown-Moran	Jan. 5
4009	The Invisible Man Returns—Hardwicke	Jan. 12
4061	West of Carson City—Brown (55 min.)	Jan. 19
4041	Green Hell—Fairbanks, Jr.-J. Bennett	Jan. 26
4055	Danger on Wheels—Arlen-Devine	Feb. 2
	My Little Chickadee—Fields-West	Feb. 9
4038	Honeymoon Deferred—Lowe-Lindsay	Feb. 16
4032	Framed—Cowan-Moore-Albertson	Feb. 23
4034	Double Alibi—Morris-Lindsay	Mar. 1
	Zanzibar—Craig-Lane	Mar. 8
	Not Yet Titled—Brown-Moore	Mar. 14

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

415	A Child Is Born—Fitzgerald-Lynn-George	Jan. 6
406	Brother Rat and a Baby—Lane-Bryan-Morris	Jan. 13
416	British Intelligence—Karloff-Lindsay	Jan. 20
420	Calling Philo Vance—Stephenson-O'Neill	Feb. 3
421	Granny Get Your Gun—Robson-Davenport	Feb. 17

SHORT SUBJECT RELEASE SCHEDULE

Columbia—One Reel

1505	Mother Goose in Swing Time—Color Rhapsody (6½ min.)	Dec. 8
1752	Park Your Baby—Fables (6m.)	Dec. 22
1554	Life in Paris—Tours (10½m.)	Dec. 22
1971	World of 1960—Futurama—Cinescope (9m.)	Dec. 22
1655	Community Sing No. 5—(10m.)	Dec. 29
1902	U. S. Treasury—Wash. Par. #2 (10½m.)	Dec. 29
1854	Screen Snapshots No. 4—(9½m.)	Jan. 5
1506	A Boy, a Gun and Birds—Col. Rhaps. (7½m.)	Jan. 12
1803	Skiing Technique (Flying Targets)—World of Sport (9 min.) (re.)	Jan. 19
1972	Threads of a Nation—Cinescope	Jan. 19
1703	The Mouse Exterminator—Phantasy (6½m.)	Jan. 26
1555	New Hampshire—Tours	Jan. 26
1656	Community Sing No. 6	Feb. 2
1507	The Happy Tot's Expedition—Col. Rhaps.	Feb. 9
1903	Inside the Federal Bureau of Investigation—Washington Parade	Feb. 9
1855	Screen Snapshots No. 5	Feb. 9
1804	Flying Targets—World of Sport	Feb. 22
1704	The Man of Tin—Phantasy	Feb. 23
1657	Community Sing No. 7	Mar. 15
1856	Screen Snapshots No. 6	Mar. 15
1753	Practice Makes Perfect—Fables (6m.)	Apr. 5

Columbia—Two Reels

1938-39 Season

9173 Terror in the Night—Overland #13 (17½m.) Oct. 13
 9174 Crumbling Walls—Overland #14 (18½m.) Oct. 20
 9175 Unmasked—Overland #15 (16m.) Oct. 27
 (End of 1938-39 Season)

1939-40 Season

1424 Teacher's Pest—C. Chase (16m.) Nov. 3
 1425 Glove Slingers—All Star (18m.) Nov. 24
 1403 Three Sappy People—Stooges (17m.) Dec. 1
 1426 Andy Clyde Gets Spring Chicken—
 Clyde (18 min.) Dec. 15
 1427 The Awful Goof—C. Chase (17m.) Dec. 22
 1428 Nothing But Pleasure—Keaton (17m.) (re.) Jan. 5
 1141 The Doomed City—Shadow No. 1 (31m.) Jan. 5
 1142 The Shadow Attacks—Shadow #2 (20½m.) Jan. 12
 1404 You Nasty Spy (Rocking the Rockies)—
 Three Stooges (18 min.) (re.) Jan. 19
 1143 The Shadow's Peril—Shadow #3 (21m.) Jan. 19
 1144 In the Tiger's Lair—Shadow #4 (18m.) Jan. 26
 1145 Danger Above—Shadow #5 Feb. 2
 1429 Mr. Clyde Goes to Broadway—Clyde Feb. 2
 1146 The Shadow's Trap—Shadow #6 Feb. 9
 1147 Where Horror Waits—Shadow #7 Feb. 16
 1430 The Heckler—Chase (17½m.) Feb. 16
 1148 The Shadow Rides the Rails—Shadow #8 Feb. 23
 1149 The Devil in White—Shadow #9 Mar. 1
 1150 The Underground Trap—Shadow #10 Mar. 8
 1405 Rocking Through the Rockies—Stooges
 (17½ min.) Mar. 8
 1151 Chinatown Night—Shadow #11 Mar. 15
 1152 Murder by Remote Control—Shadow #12 Mar. 22
 1153 Wheels of Death—Shadow #13 Mar. 29
 1154 The Sealed Room—Shadow #14 Apr. 5
 1155 The Shadow's Net Closes—Shadow #15 Apr. 12

Paramount—One Reel

L9-1 Unusual Occupations No. 1—(10m.) Oct. 13
 V9-2 Busy Little Bears—Paragraphic (9½m.) Oct. 20
 A9-3 Moments of Charm of 1940—Head. (9½m.) Oct. 27
 D9-2 Merry Wives of Windsor—Sym. (8½m.) Oct. 27
 R9-4 A Dog Is Born—Sportlight (9½m.) Nov. 3
 E9-1 Never Sock a Baby—Popeye (5½m.) Nov. 3
 K9-2 Popular Science No. 2—(10m.) Nov. 3
 K9-3 Chile—Color Cruise (9m.) Nov. 10
 V9-3 Bits of Life—Paragraphic (10m.) Nov. 17
 L9-2 Unusual Occupations No. 2—(10m.) Nov. 17
 A9-4 Here's Hal—Headliner (9½m.) Nov. 24
 R9-5 Aqua Rhythm—Sportlight (9½m.) Nov. 24
 D9-3 William Tell—Symphonic (10m.) Nov. 24
 R9-6 Judo Experts—Sportlight (9½m.) Dec. 8
 J9-3 Popular Science #3—(10m.) Dec. 15
 V9-4 Touchdown Review—Paragraphic (9½m.) Dec. 22
 A9-5 Frankie Masters and His Orchestra—
 Headliner (10½ min.) Dec. 29
 K9-4 Cuba—Color Cruise (9m.) Jan. 5
 V9-5 Sugar Wind (Windward Ho)—Para. (9m.) Jan. 19
 E9-2 Shakespearian Spinach—Popeye (6m.) Jan. 19
 L9-3 Unusual Occupations #3 Jan. 19
 R9-7 Bowling Skill—Sportlight (9m.) Jan. 26
 B9-1 Way Back When a Triangle Had Its Points
 —Stone Age Jan. 26
 A9-6 Jimmy Dorsey and His Orchestra—
 Headliner (10½ min.) Feb. 2
 C9-2 Little Lambkin—Color Classic Feb. 2
 K9-5 Isle of Columbus—Color Cruise Feb. 9
 V9-6 Paramount Pictorial Feb. 16
 B9-2 Way Back When a Night Club Was a Stick
 —Stone Age Feb. 16
 J9-4 Popular Science #4 Feb. 16
 R9-8 Human Fish—Sportlight (9½m.) Feb. 23
 E9-3 Females Is Fickle—Popeye Feb. 23
 C9-3 Busy Little Ants—Color Classic Feb. 23

RKO—One Reel

04603 American Royal—Reelism (9m.) Nov. 10
 04304 Winter Playground—Sportscope (9m.) Nov. 24
 04204 Information Please—(11m.) Dec. 1
 04604 West Wall—Reelism (10m.) Dec. 8
 04305 Sky Game—Sportscope (9m.) Dec. 22
 04205 Information Please—(10m.) Dec. 29
 04605 Men of Muscle—Reelisms (9m.) Jan. 5
 04306 Aqua Poise—Sportscope (9m.) Jan. 19
 04606 Vacation Diary—Reelisms (10m.) Feb. 2
 04206 Information Please—(11m.) Feb. 26

RKO—Two Reels

03502 Bandits and Ballads—Whitley (17m.) Dec. 29
 03203 Chicken Feed—Radio Flash (18m.) Jan. 19
 03106 March of Time No. 6—(18m.) Jan. 19
 03403 Slightly at Sea—Kennedy (16m.) Feb. 9
 03703 Scrappily Married—Leon Errol (20m.) Mar. 1

Twentieth Century-Fox—One Reel

0302 Clocking the Jockeys—Sports (11m.) Nov. 24
 0505 The Hitch-Hiker—Terry-Toon (7m.) Dec. 1
 0203 Sky Fighters—Adv. News Camera. (11m.) Dec. 8
 0506 The Ice Pond—Terry-Toon (7m.) Dec. 15
 0602 Fashion Forecasts No. 6—(10m.) Dec. 22
 0555 The First Robin—Terry-Toon (7m.) Dec. 29
 0402 The Silly Season—Lew Lehr (10m.) Jan. 5
 0507 A Dog in a Mansion—Terry-Toon (7m.) Jan. 12
 0303 Topnotch Tennis—Sports (10m.) Jan. 19
 0508 Edgar Runs Again—Terry-Toon (7m.) Jan. 26
 0104 The Kangaroo Country—Thomas (10m.) Feb. 2
 0556 Harvest Time—Terry-Toon (7m.) Feb. 9
 0105 The Valley of 10,000 Smokes—Father Hubbard and Lowell Thomas (10 min.) Feb. 16
 0509 Hare and Hounds—Terry-Toon (7m.) Feb. 23
 0304 Following the Hounds—Sports Mar. 1
 0510 All's Well That Ends Well—Terry-Toon Mar. 8
 0204 Flying Stewardess—Adv. News Cameraman Mar. 15
 0557 Much Ado About Nothing—Terry-Toon Mar. 22
 0603 Fashion Forecast No. 7 Mar. 29
 0511 It Must Be Love—Terry-Toon Apr. 5

Metro-Goldwyn-Mayer—One Reel

1938-39 Season

S-913 Set 'Em Up—Pete Smith (10m.) Oct. 7
 W-891 The Blue Danube—cartoons (7m.) Dec. 16
 (End of 1938-39 Season)

1939-40 Season

T-53 Quaint St. Augustine—Travel. (9m.) Nov. 4
 S-102 Ski Birds—Pete Smith (8m.) Nov. 18
 M-74 Mendelsohn's Wed. March—Min. (8m.) Nov. 4
 T-54 Valiant Venezuela—Traveltalks (9m.) Nov. 25
 C-133 Time Out for Lessons—Our Gang (11m.) Dec. 2
 K-121 Forgotten Victory—P. Parade (11m.) Dec. 9
 S-103 Romance of the Potato—Smith (9m.) Dec. 9
 W-81 Peace on Earth—Cartoons (9m.) Dec. 9
 F-142 See Your Doctor—Benchley (8m.) Dec. 16
 T-55 Land of Alaska Nellie—Travel. (9m.) Dec. 23
 T-56 Old Natchez—Traveltalks (9m.) Dec. 30
 M-75 Miracle at Lourdes—Miniatures (11m.) Dec. 30
 W-82 The Mad Maestro—Cartoons (8m.) Dec. 30
 M-76 Where Turf Meets Surf—Miniatures
 (10½ min.) Jan. 6
 S-104 Maintain the Right—Pete Smith (10m.) Jan. 13
 F-143 That Inferior Feeling—Benchley (9m.) Jan. 20
 T-57 Night Descends on Treasure Island—
 Traveltalks (8 min.) Jan. 20
 M-77 The Old South—Miniatures (10½m.) Jan. 20
 W-83 The Fishing Bear—Cartoons (7½m.) Jan. 20
 C-134 Alfalfa's Double—Our Gang (10½m.) Jan. 20
 S-105 What's Your I.Q.?—Pete Smith (7½m.) Feb. 10
 T-58 Scattle, Gateway to Northwest—Traveltalks
 (9 min.) Feb. 17
 F-144 Home Movies—Benchley (7m.) Feb. 17

Metro-Goldwyn-Mayer—Two Reels

Beginning of 1939-40 Season

P-1 Pound Foolish—Crime Doesn't Pay (20m.) Dec. 23
 P-2 Know Your Money—Crime Doesn't Pay (21m.) Jan. 27

Universal—One Reel

4263 Scrambled Eggs—Lantz cartoon (8½m.) ... Nov. 20
4264 The Sleeping Princess—cartoon (9m.) ... Dec. 4
4374 Stranger Than Fiction No. 69—(9m.) ... Dec. 4
4354 Going Places with Thomas No. 69—(8m.) ... Dec. 11
4375 Stranger Than Fiction No. 70—(9m.) ... Dec. 18
4355 Going Places with Thomas No. 70—(8m.) ... Dec. 25
4376 Stranger Than Fiction No. 71—(9m.) ... Jan. 8
4356 Going Places with Thomas No. 71—(9m.) ... Jan. 15
4265 Andy Panda Goes Fishing—cartoon (8m.) ... Jan. 22
4377 Stranger Than Fiction #72 ... Jan. 29
4357 Going Places with Thomas #72 ... Feb. 5
4266 Kittens Mittens—Lantz cart. ... Feb. 12
4378 Stranger Than Fiction #73 ... Feb. 19
4358 Going Places with Thomas #73 ... Feb. 26
4267 Tom Thumb, Jr.—Lantz cart. ... Mar. 4
4379 Stranger Than Fiction #74 ... Mar. 11

Universal—Two Reels

4688 Trapped in Flames—Phantom No. 8 (19m.) ... Dec. 5
4689 Speeding Doom—Phantom No. 9 (18m.) ... Dec. 12
4224 Snow Follies—musical (18m.) ... Dec. 13
4690 Phantom Footprints—Phan. No. 10 (19m.) ... Dec. 19
4691 The Blast—Phantom No. 11 (20m.) ... Dec. 26
4692 To Destroy the World—Phan. No. 12 (18m.) ... Jan. 2
4781 The Tunnel of Terror—Green Hornet
No. 1 (21m.) ... Jan. 9
4782 Thundering Terror—Hornet No. 2 (21m.) ... Jan. 16
4225 Rhythm Jamboree—musical (20m.) ... Jan. 17
4783 Flying Coffins—Hornet No. 3 (21m.) ... Jan. 23
4784 Pillar of Flame—Hornet No. 4 (19m.) ... Jan. 30
4785 The Time Bomb—Hornet No. 5 (20m.) ... Feb. 6
4786 Highways of Peril—Hornet No. 6 (21m.) ... Feb. 13
4226 Bullets and Ballads—musical (17½m.) ... Feb. 14
4787 Bridge of Disaster—Hornet No. 7 (21m.) ... Feb. 20
4788 Dead or Alive—Hornet No. 8 ... Feb. 27
4789 The Hornet Trapped—Hornet No. 9 ... Mar. 5
4790 Bullets and Ballots—Hornet No. 10 (18m.) ... Mar. 12
4227 International Revels—musical ... Mar. 13

Vitaphone—One Reel

5605 Porky the Giant Killer—Looney T. (8m.) ... Nov. 18
5307 Sniffles and Bookworm—Mer. Mel. (8m.) ... Dec. 2
5403 Mechanix Illustrated #2—Col. Par. (9m.) ... Dec. 2
5308 Screwball Football—Mer. Mel. (8m.) ... Dec. 16
5606 The Film Fan—Looney Tunes (7m.) ... Dec. 16
5309 Curious Puppy—Mer. Mel. (7½m.) ... Dec. 30
5504 Artie Shaw & Orch.—Mer. Mast. (9m.) ... Dec. 30
5404 New Horizons—Color Parade (7½m.) ... Jan. 6
5607 Porky's Last Stand—L. Tunes (6½m.) ... Jan. 6
5310 Early Worm Gets Bird—Mer. Mel. (8½m.) ... Jan. 13
5703 An Organ Novelty—Varieties (9m.) ... Jan. 13
5608 Africa Squeaks—Looney Tunes (7m.) ... Jan. 27
5311 Mighty Hunters—Merrie Mel. (8½m.) ... Jan. 27
5312 Busy Bakers—Merrie Melodies (7m.) ... Feb. 10
5609 Ali Baba Bound—Looney Tunes ... Feb. 10
5405 Mechanix Illustrated #3—(9½m.) ... Feb. 17
5505 The Coquettes—Mer. Masters (9m.) ... Feb. 17
5313 Elmer's Candid Camera—Merrie Melodies ... Mar. 2
5506 Dave Apollon and Orch.—Mer. Mast. (11m.) ... Mar. 2
5610 Pilgrim Porky—Looney Tunes ... Mar. 16
5406 Men Wanted—Color Parade ... Mar. 23
5507 Carl Hoff and Orch.—Mer. Masters (10m.) ... Mar. 23
5611 Slap Happy Pappy—Looney Tunes ... Mar. 30

Vitaphone—Two Reels

5002 Royal Rodeo—Technicolor (15m.) ... Nov. 25
5104 World's Fair, Jr.—Bway. Brev. (20m.) ... Dec. 9
5003 Old Hickory—Technicolor (17m.) ... Dec. 23
5101 Remember When—Bway. Brev. (18m.) ... Jan. 20
5105 One for the Book—Bway. Brev. (18m.) ... Feb. 3
5004 Teddy the Roughrider—Tech. (19m.) ... Feb. 24

NEWSWEEKLY NEW YORK RELEASE DATES

Universal

837 Wednesday ... Jan. 3
838 Friday ... Jan. 5
839 Wednesday ... Jan. 10
840 Friday ... Jan. 12
841 Wednesday ... Jan. 17
842 Friday ... Jan. 19
843 Wednesday ... Jan. 24
844 Friday ... Jan. 26
845 Wednesday ... Jan. 31
846 Friday ... Feb. 2
847 Wednesday ... Feb. 7
848 Friday ... Feb. 9
849 Wednesday ... Feb. 14
850 Friday ... Feb. 16
851 Wednesday ... Feb. 21
852 Friday ... Feb. 23
853 Wednesday ... Feb. 28
854 Friday ... Mar. 1
855 Wednesday ... Mar. 6
856 Friday ... Mar. 8
857 Wednesday ... Mar. 13
858 Friday ... Mar. 15
859 Wednesday ... Mar. 20
860 Friday ... Mar. 22
861 Wednesday ... Mar. 27
862 Friday ... Mar. 29
863 Wednesday ... Apr. 3
864 Friday ... Apr. 5

Paramount News

48 Wednesday ... Feb. 14
49 Saturday ... Feb. 17
50 Wednesday ... Feb. 21
51 Saturday ... Feb. 24
52 Wednesday ... Feb. 28
53 Saturday ... Mar. 2
54 Wednesday ... Mar. 6
55 Saturday ... Mar. 9
56 Wednesday ... Mar. 13
57 Saturday ... Mar. 16
58 Wednesday ... Mar. 20
59 Saturday ... Mar. 23
60 Wednesday ... Mar. 27
61 Saturday ... Mar. 30
62 Wednesday ... Apr. 3
63 Saturday ... Apr. 6

Metrotone News

244 Thursday ... Feb. 15
245 Tuesday ... Feb. 20
246 Thursday ... Feb. 22
247 Tuesday ... Feb. 27
248 Thursday ... Feb. 29
249 Tuesday ... Mar. 5
250 Thursday ... Mar. 7
251 Tuesday ... Mar. 12
252 Thursday ... Mar. 14
253 Tuesday ... Mar. 19
254 Thursday ... Mar. 21
255 Tuesday ... Mar. 26
256 Thursday ... Mar. 28
257 Tuesday ... Apr. 2
258 Thursday ... Apr. 4

Fox Movietone

40 Saturday ... Jan. 27
41 Wednesday ... Jan. 31
42 Saturday ... Feb. 3
43 Wednesday ... Feb. 7
44 Saturday ... Feb. 10
45 Wednesday ... Feb. 14
46 Saturday ... Feb. 17
47 Wednesday ... Feb. 21
48 Saturday ... Feb. 24
49 Wednesday ... Feb. 28
50 Saturday ... Mar. 2
51 Wednesday ... Mar. 6
52 Saturday ... Mar. 9
53 Wednesday ... Mar. 13
54 Saturday ... Mar. 16
55 Wednesday ... Mar. 20
56 Saturday ... Mar. 23
57 Wednesday ... Mar. 27
58 Saturday ... Mar. 30
59 Wednesday ... Apr. 3
60 Saturday ... Apr. 6

Pathé News

05161 Sat. (O.) ... Feb. 17
05262 Wed. (E.) ... Feb. 21
05163 Sat. (O.) ... Feb. 24
05264 Wed. (E.) ... Feb. 28
05165 Sat. (O.) ... Mar. 2
05266 Wed. (E.) ... Mar. 6
05167 Sat. (O.) ... Mar. 9
05268 Wed. (E.) ... Mar. 13
05169 Sat. (O.) ... Mar. 16
05270 Wed. (E.) ... Mar. 20
05171 Sat. (O.) ... Mar. 23
05272 Wed. (E.) ... Mar. 27
05173 Sat. (O.) ... Mar. 30
05274 Wed. (E.) ... Apr. 3
05175 Sat. (O.) ... Apr. 6

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Columns, if It is to Benefit the Exhibitor.

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No. 8

MALIGNING THEIR CUSTOMERS

The industry is sick. When patrons remark, "Oh! I don't want to go to a movie tonight; most movies are just 'terrible!'" instead of "Let's go to a movie tonight!" as the case used to be several years ago, the industry cannot help being sick. And the reason for the present state of affairs is not a mystery. Aside from the fact that the producers have educated the picture-going public to distinguish between classes of pictures—to know when a picture is not of the "A" class, they have done everything they could to discredit their own customers in the eyes of the public—to such an extent that exhibitors, as a class, are not respected very highly. Exhibitor Jim, or Jones, or Charlie, may be the best fellow in the world, and be liked by his town folk, but is looked down upon as a class.

I have before me a pamphlet against block booking, put out by the Hays association and circulated among, not only ordinary laymen, but newspaper publishers; it was sent out along with other printed matter, accompanied by a letter that bears the signature of C. C. Pettijohn. The entire envelope was sent to me by a newspaper publisher, with the following note:

"The inclosed came in this morning (Feb. 10). I thought it might be of value to you.

"Probably I had better not reply to the inquiry as I am just sore at the moving picture industry as it is being conducted at present."

Here are some extracts from the pamphlet in question:

"One picture produced by a given company may play to 10,000 or more theatres, while another picture produced the same season may play to less than half as many theatres.

"For example, STATE FAIR (a Will Rogers picture) played to 9,490 theatres, while AFTER THE BALL, distributed by the same company, played to 2,531. SHE DONE HIM WRONG (a Mae West picture) played to 10,012 theatres, while SUPERNATURAL, distributed by the same company, played 4,151 theatres.

"Accurate studies indicate that often the list of films which the most exhibitors 'choose' to play does not include pictures which have received widest acclaim from film critics, previewing committees, and better film councils.

"It is interesting to note, in this connection, that among the films which large numbers of theatres rejected during recent years were the following:

"WINTERSET (Pulitzer Prize Play), rejected by 3,259 exhibitors.

"A MIDSUMMER NIGHT'S DREAM (Shakespeare), rejected by 1,506 exhibitors.

"THE GREEN PASTURES (Pulitzer Prize Play), rejected by 2,730 exhibitors.

"QUALITY STREET" (Sir James Barrie), rejected by 4,837 exhibitors.

"UNDER YOUR SPELL (Lawrence Tibbett), rejected by 2,135 exhibitors.

"On the other hand, fewer than 20 exhibitors rejected or canceled bookings of the following pictures: THE LAST GANGSTER, HER JUNGLE LOVE, BAD MAN OF BRIMSTONE, LITTLE TOUGH GUYS, FRANKENSTEIN, DRACULA, ALCATRAZ and ANGELS WITH DIRTY FACES."

In other words, Mr. Pettijohn wants the public to know that the exhibitors, customers of those who employ him, reject the finest pictures but at no time do they reject sex or gangster pictures. He does not give the exact reason why the exhibitors rejected these pictures. For example, in comparing the high number of bookings for "State Fair" with the low number of bookings of "After the Ball," he does not make it clear to the readers that Will Rogers, star

of "State Fair," was at the height of his popularity when the picture was released, and that the exhibitors dated and redated the picture, because the picture-going public wanted to see it a second and even a third time, whereas "After the Ball" was, not only a cheaply-made foreign picture, with the players unknown to the American picture-goers, but a dirty and vile picture.

A good reason may be given for the other seeming discrepancies of the bookings.

Why should the exhibitors play "A Midsummer Night's Dream" just because it was founded on the Shakespeare play? Many of those who played it showed it to empty seats. After all, the exhibitor cannot be expected to play pictures that are shunned by the picture-going public. Would the distributor make up his losses? Of course, not!

Likewise with the other pictures: if the public did not indicate a desire to see them, why should the independent exhibitors be required to show them?

Nor does he make it clear that, among those who made the greatest number of rejections in the case of some of the pictures, and the fewest rejections in the case of some of the others, were theatres that are owned by producers; and that the independent exhibitors who played these pictures could not help playing them, because many were percentage pictures, and it would have bankrupted them if they should have canceled them.

But did Pettijohn make it clear to the readers of that pamphlet that the independent exhibitors had nothing to do with the production of the pictures he refers to, and that they had to sign a contract for them before they knew what sort of pictures they were going to be? Of course, not!

Let me now call your attention to the following fact, which I consider significant: Pettijohn tells the pamphlet's readers that few exhibitors canceled "The Last Gangster," "Her Jungle Love," "Bad Man of Brimstone," "Little Tough Guys," "Frankenstein," "Dracula," "Alcatraz," and "Angels with Dirty Faces," implying, of course, that these were filthy pictures. Do Messrs. Gradwell Sears, Louis B. Mayer, Bernard Balaban, and Nate Blumberg want it said that they make pictures that are either dirty or deal with gangsters?

And how about Joe Breen? If what Pettijohn implies is true—that these pictures were unworthy of showing, then he failed to do his duty.

How long will the producers allow their employees to malign their customers? By allowing the circulation of such matter, they are doing harm also to themselves—to the entire industry.

HITTING BELOW THE BELT!

A folder, entitled "Do You Want Them to Kill the Movies?", the object of which is to induce people to fight the Neely Bill, has just been put out by the Associated Motion Picture Advertisers' committee that was appointed recently to manage the producer campaign against the Neely Bill.

Printing and circulating printed matter with a view to inducing people to oppose the enactment of a law is neither unmoral nor unfair; the Neely Bill's opponents have as much right to campaign against the Bill as have the proponents to campaign in its favor, provided such a campaign is fair. Such, however, is not the case with this folder, for it not only caricatures the leaders of such of the civic, religious or fraternal organizations as are campaigning in favor of the bill, but also calls them names; the word, either "Snoop," or "Snatch," or "Sneak" is attached to one of the three caricatures of persons supposed to represent such leaders.

(Continued on last page)

"Vigil in the Night" with Carole Lombard, Brian Aherne and Anne Shirley

(RKO, February 9; time, 95 min.)

An interesting and deeply moving drama; but it is extremely somber, tending to depress the spectator. Most of the story is devoted to the career of the heroine as a nurse, with little emphasis on the romance. It is not a particularly glamorous part for Miss Lombard, who is seen almost throughout in her nurse's uniform; nor is the background pleasant, for a good part of the action unfolds in hospitals, amid sickness and crude surroundings. Many situations showing sick children will bring tears to the spectator's eyes; but parents who have lost children should be made unhappy by such a sight. One is in sympathy with Miss Lombard, who suffers because of her nobility and devotion to her duties:—

Knowing that her sister (Anne Shirley) would not obtain her nursing certificate if the truth were made known that through her negligence a young child had died, Miss Lombard, graduate nurse at the same hospital, takes the blame; she is compelled to resign. She goes to another hospital where, because of the refusal of the governing committee to appropriate funds for its use, every one had to work under difficult conditions. Brian Aherne, brilliant head surgeon, pleads with the committee for modern equipment, but is turned down. He performs a difficult operation on Julian Mitchell, wealthy head of the committee. Through the alertness of Miss Lombard, who had been watching the operation, an error is rectified. Mitchell signifies his thanks by giving her a gift. Miss Lombard, whose hard work is recognized, is promoted. Aherne had noticed not only her good work but her personal charm as well. He is unhappy when Miss Lombard, in order to avoid a scandal, is compelled to leave the hospital, because Mitchell had made improper advances to her, which his wife knew about. Miss Lombard goes to London, where her sister, who had since married, was living. She learns that Miss Shirley was working at a nursing home of bad repute, and that she had become involved in the death of a patient. Aherne, who was in London at the time, reads of the inquest. He goes to the court and asks to be permitted to examine the head of the home. He proves that Miss Shirley was innocent. Aherne tells the sisters of the difficulty the hospital was having in fighting an epidemic that had broken out that struck many children. Miss Lombard and her sister rush to the hospital, offering their services in the isolation ward. Mitchell is enraged when Miss Lombard takes it upon herself to order equipment. But when his own son is stricken, he becomes a changed man and approves everything. Through Miss Shirley's devotion the young boy is saved. But she contracts the disease and dies. Although heartbroken, Miss Lombard continues her work, helped by Aherne.

The plot was adapted from the novel by A. J. Cronin. P. J. Wolfson, Fred Guiol, and Rowland Leigh wrote the screen play; George Stevens directed and produced it, and Pandro Berman was in charge of production. Robert Coote, Brenda Forbes, Rita Page, Doris Lloyd, and others are in the cast.

Too sombre for children. Suitable for adolescents and adults. Class B.

"Broadway Melody of 1940" with Fred Astaire, Eleanor Powell and George Murphy

(MGM, February 9; time, 100 min.)

Good entertainment. Considering the fact that there has not been a good musical lately, the public should be ready for one. They undoubtedly will find this to their liking, for, in spite of the fact that the plot is routine, the picture has been given a lavish production, and the music and dancing are excellent. And there is plentiful comedy, too. Dance fans particularly will enjoy it; not only are the dance routines good but there are many of them. As a matter of fact, there is so much dancing and so little plot that the older folk may at times find it a bit tiresome. The romance is pleasant:—

Fred Astaire and George Murphy try in vain to interest producers in their ability as a dance team. While performing at a cheap dance hall, Astaire is told that some one wanted to see him. Thinking that the visitor (Frank Morgan) was a bill collector to whom Murphy owed a bill for the renting of a dress suit, and not knowing that he was the producer of big musical shows who had become interested in his dancing, Astaire gives him Murphy's name when they part. Murphy receives

a call from Morgan's partner (Ian Hunter), who engages him to dance with Eleanor Powell, famous Broadway star, in a new musical show they were producing. Astaire insists that Murphy accept the engagement and promises to help him with his routines. Astaire learns later about the blunder that had cost him his chance, but, being a good sport, is happy that Murphy had been given a chance. But Murphy lets the sudden change go to his head and drinks. On the opening night he is so drunk that he cannot go on. Unknown to every one but Miss Powell, Astaire takes his place. By the second half Murphy is sober and is able to continue, not knowing that he had missed the first half. That night Miss Powell berates him for having quarreled with Astaire, telling him what Astaire had done for him. In order to make up to his friend, Murphy pretends the next night to be drunk again. This gives Astaire his chance to dance through the entire show. But towards the end, when Astaire learns the truth, he insists that Murphy join him and Miss Powell in a new venture, which goes over well. Astaire and Miss Powell are happy, for they had fallen in love with each other.

Jack McGowan and Dore Schary wrote the story, and Leon Gordon and George Oppenheimer, the screen play; Norman Taurog directed it, and Jack Cummings produced it. In the cast are Florence Rice, Lynne Carver, Ann Morriss and others.

Class A.

"Northwest Passage" with Spencer Tracy, Robert Young and Walter Brennan

(MGM, February 23; time, 124 min.)

Very good entertainment. It is a robust outdoor adventure melodrama, which should thrill men; women, too, should find it exciting and even touching, because of the plight of the soldiers who are forced to battle not only against obstacles that seem impossible to surmount, but also against hunger. Seldom has technicolor fitted in so perfectly with a story; the color does not detract the attention from the plot developments; instead, it adds to the dramatic excitement. The story is practically devoid of romance. Except for the mention of it at the beginning of the picture, women play little part in the story, for most of it is confined to the activities of the soldiers in running down and annihilating a tribe of ferocious Indians who had terrorized the countryside and had murdered whites. There is some pretty strong stuff in it—the unbearable suffering of the soldiers, the brutal warfare between them and the Indians, the gradual mental breakdown of a few of the soldiers due to their sufferings. But with it all, it is inspiring, for their indomitable spirit carries them on to victory and eventual safety. The picture takes in just the first half of the book. Undoubtedly it is the intention of MGM to produce another picture setting forth the further adventures of Major Rogers, the courageous leader of the Rangers.

The plot is devoted entirely to the expedition of Major Rogers (Spencer Tracy) and his brave Rangers, who set out to find and destroy the Indian Abenaki Tribe, who, in company with the French, were brutally killing white folk, destroying their homes, and completely terrorizing them. Because of the necessity of having to travel without leaving any traces of their journey, they encounter many hardships, such as carrying heavy boats over mountain country, forming a human chain across rapids, walking long distances without stopping to rest, suffering pangs of hunger because of lack of food, and many other discomforts; and men who fall by the wayside are left to die. Even after they find the tribe and annihilate them, their hardships just begin, for they had to retrace their steps in order to get back to camp, but this time with practically no food except dried corn. Eventually they do get back, only to find the camp deserted. Just as they were giving up in despair, the English soldiers arrive with plentiful food. Robert Young and Walter Brennan, who had joined the Rangers on the Indian hunt so as to escape punishment because of their anti-English political beliefs, leave them at the end of the expedition. Young marries Ruth Hussey, an ambitious young lady, who wanted to see him become a great painter.

The plot was adapted from the novel by Kenneth Roberts; Laurence Stallings and Talbot Jennings wrote the screen play; King Vidor directed it, and Hunt Stromberg produced it. In the cast are Nat Pendleton, Louis Hector, Robert Barrat, Lumsden Hare, Donald McBride, Isabel Jewell, Addison Richards, and others.

Class A.

"Granny Get Your Gun" with May Robson and Harry Davenport

(Warner Bros., February 17; time, 56 min.)

Just a minor program picture. The talents of good performers are wasted on a plot that is artificial and silly to the point of annoyance. It may find favor with audiences who are not too discriminating, for the action is fast, and occasionally amusing. There is no romance, since the story revolves around two elderly characters:—

May Robson, one of the old Western pioneers, who had made millions grubstaking miners, returns to Nevada with her granddaughter (Margot Stevenson), who was about to divorce her worthless husband (Hardie Albright). Albright, who wanted to gain custody of their child so as to control the fortune that would eventually come to her from Miss Robson, threatens to contest the divorce action, claiming that he had enough evidence to prove that Miss Stevenson was not the proper person to bring up the child. Miss Robson learns that he had bought two checks issued by Miss Stevenson for gambling debts, which had been returned because of insufficient funds. When Miss Robson goes to his quarters in an effort to buy him off, she finds him murdered and the checks gone. Suspecting that her granddaughter had committed the murder, she leaves her own fingerprints around the place and then "confesses." But when she learns that Miss Stevenson was innocent, she changes her plea to "not guilty"; the District Attorney withdraws the charges, and then orders the arrest of Miss Stevenson, claiming that Miss Robson had tried to shield her. Miss Robson decides to investigate matters for herself. She finds out who the murderer was. With the assistance of her old lawyer friend (Harry Davenport) she traps the murderer and forces him to confess in the presence of police. Miss Stevenson is freed, and promises never to gamble again.

Erle Stanley Gardner wrote the story, and Kenneth Gamet, the screen play; George Amy directed it, and Bryan Foy produced it. In the cast are Clem Bevans, Clay Clement, William Davidson, and others.

Not for children. Suitable for adolescents and adults. Class B.

"The Farmer's Daughter" with Martha Raye and Charlie Ruggles

(Paramount, March 29; time, 60 min.)

A mildly entertaining program comedy. The story, except for the barn theatre background, is routine; but, since it has some comedy, music, and romance, in addition to capable performances, it may amuse some people. Martha Raye, more subdued than in previous pictures, bursts out into her customary exuberant gestures and remarks only on occasion. She puts over two songs quite well, and provokes laughter by her antics:—

Charlie Ruggles, a producer, interests a wealthy man in backing a new show; the backer agrees to finance it on condition that Ruggles star Gertrude Michael, a temperamental actress, with whom he had been having an affair. Wanting to get rid of her, the backer suggests that Ruggles take the show on the road for a long time. Ruggles conceives a good idea—to rent a barn in the country, there to play for several weeks, after which to bring the show to Broadway. Everyone is compelled to cater to Miss Michael, even the leading man (Richard Denning), who preferred to be with Miss Raye, the daughter of the farmer from whom Ruggles had rented the barn. Ruggles receives the news that his wealthy backer had married. Knowing that Miss Michael would raise a fit if she learned the truth, he keeps the news from her. But on the opening night she does find out about it, and leaves the show. Ruggles, out of sheer desperation, agrees to permit Miss Raye, who knew the part well, to take Miss Michael's place. To his surprise, she makes a big hit. And, when the show finally reaches Broadway, she continues her success there. Eventually she marries Denning.

Delmar Daves wrote the story, and Lewis R. Foster, the screen play; James Hogan directed it, and William C. Thomas produced it. In the cast are William Frawley, Inez Courtney, William Demarest, Jack Norton, and others.

Suitability, Class A.

"Charlie Chan in Panama" with Sidney Toler, Jean Rogers and Mary Nash

(20th Century-Fox, March 8; time, 67 min.)

An entertaining program picture. This time "Chan" becomes involved in an espionage plot, in which he eventually uncovers the identity of the clever spy leader. Mystery fans should enjoy it, for the leader is not identified until the very end, thereby keeping the audience guessing. One is kept in suspense, since two characters meet with death, and the lives of others are endangered. The comedy, as usual, is provoked by "Chan's" young son, who imagines himself to be a brilliant detective, but only manages to get himself in trouble. The action takes place in Panama:—

Sidney Toler, famous Chinese detective, learns that enemy agents were planning to destroy the United States fleet when it passed through the Canal. His job was to discover the head of the ring, and thus prevent the sabotaging of the fleet. During his investigations, two men, one an American secret service man, and the other, a British secret service man, are killed. Toler's life is endangered on several occasions, but he proceeds with the work. He suspects Jack LaRue, not of being the leader, but of working with the spy ring. He finally solves the plot by trapping the leader in the power house where a bomb had been placed by LaRue. The leader turns out to be Mary Nash, who had been posing as a schoolteacher on vacation. She gives herself away by trying to escape; but Toler had discovered the hiding place of the bomb and had disconnected it, a fact that had been unknown to Miss Nash. LaRue is killed, and Miss Nash captured. The other persons who had been suspected are glad when the case is finally closed.

John Larkin and Lester Ziffren wrote the screen play, Norman Foster directed it, and Sol M. Wurtzel produced it. In the cast are Lionel Atwill, Sen Yung, Kane Richmond, Lionel Royce, and others.

Suitability Class A.

"A Chump at Oxford" with Laurel and Hardy

(United Artists, February 16; time, 62 min.)

A fairly good comedy. The fact that the story is thin does not matter much, for there are plentiful gags. Some are old, others new, but mostly all are conical. Where these two comedians are popular, it should do better than average business. But it is the type of comedy that need not depend only on the Laurel-Hardy fans; others should enjoy it as well. The only drawback may be that, aside from Laurel and Hardy, the other players are unknown:—

Laurel and Hardy are out of work; and, since they needed money, Hardy induces Laurel to pose as a maid, so that they could obtain work as a butler-maid combination. But after one experience at a dinner party they give up that work to become street-cleaners. They accidentally capture a bank robber and are commended for their bravery. As a reward, the bank president offers to send them to Oxford University, in England, so that they could get an education. Because of practical jokes played on them by the students, they get into trouble. An accidental bump on Laurel's head makes him forget Hardy and everything that had happened in America; it brings back his memory to him—he had been a Lord, a brilliant student and famous athlete. A bump he had received on his head while a student at Oxford had made him forget everything about himself and he had wandered to America, where he had met Hardy. He treats Hardy as an inferior and again takes his rightful place at the University, the most idolized student of all. He receives another bump on the head just as Hardy was about to leave in disgust. This makes him again forget that he was a Lord, and he becomes the same silly, stupid person that Hardy had always known. They leave the University and go back to America.

Charles Rogers, Felix Adler, and Harry Langdon wrote the screen play, Alfred Goulding directed it, and Hal Roach produced it. In the cast are Forrester Harvey, Wilfred Lucas, Forbes Murray, and others.

Suitability, Class A.

Below these caricatures, the following wording occurs: "They Are Ganging Up On Congress! Do you want THEM to dictate YOUR Movies?"

On the following two pages, questions regarding the Neely Bill are given and answered; these are supposed to enlighten those who are unfamiliar with the facts of the Neely Bill. The reader is then advised to send either a letter or a post card to his or her member of the House of Representatives "protesting this attack on your freedom and your pocketbook."

I have been in the middle of the Neely Bill controversy ever since it was introduced in Congress, and have seen and read almost every piece of printed matter that has been published against it, but I have yet to see a piece of such matter as low, as vulgar and as insulting; it seems to have emanated from a sewer.

But the folder has its advantages; it shows the depths to which the opponents of the Bill may descend to gain their point.

The producers did not hesitate to imply that every Congressman, whether a member of the House or of the Senate, is a crook ("Mr. Smith Goes to Washington"); why should they hesitate to call the leaders of such civic, religious and fraternal organizations that are in favor of the Bill snoops, snatchers, and sneaks?

Allied can use this folder to its advantage if it should spend the necessary money to make a few thousand reprints, so that a copy of it, with wording to indicate its source, may be sent, not only to every Congressman, but also to the leaders of every organization that is campaigning in favor of the Bill. The Allied organization does not need to invent or to conceive methods by which it could create converts among non-theatrical organizations; all it has to do is use the producer literature for the purpose.

THE ALLIED ANNUAL CONVENTION TO BE HELD IN CHICAGO

The Washington headquarters of Allied States Association has announced that the 1940 annual convention of the organization will be held in Chicago.

The convention dates will be determined by Jack Kirsch, president of Allied Theatre Owners of Illinois, around the first of March, when he returns from a vacation South.

It is assumed that these dates will be not before May 1, and not later than July 1.

Chicago has been selected, the announcement says, because of its central location, its accessibility, and its hotel facilities. All these advantages, combined with Mr. Kirsch's popularity in the Allied ranks, insures, the announcement states, a record-breaking gathering.

Exhibitors would do a wise thing in making their plans now for attending the convention. Gatherings of this kind tend to promote good will among one another, and to make each exhibitor's problems better known and their difficulties more highly appreciated. And they give a chance to an exhibitor to rest.

PICTURES NOW IN PRODUCTION

(Continued from last week)

United Artists

"OUR TOWN," (a Sol Lesser Production), the Thornton Wilder play (produced at the Henry Miller Theatre on February 6, 1938, playing to 159 performances), with William Holden, Martha Scott, Fay Bainter, Frank Craven, Beulah Bondi, Thomas Mitchell, Guy Kibbee, Stuart Erwin, and others, directed by Sam Wood. The story unfolds in a small New England town, and deals with the life of the folk there. The script has followed the play very closely, with an alteration here and there, effecting some improvement. On the stage, the play was acted without any scenery. (The picture will have scenery.) Frank Craven, who took the part of the stage manager, would turn to the audience and explain to them all about the history of the small town, the folk that lived in it, and their doings. The characters then would come in and act the play. Such was the procedure with every act. In the third act, some characters are dead, supposedly in their graves (but actually seated in chairs representing their graves), dispensing philosophy. The play follows this system closely. In the picture, again Frank Craven takes the same part, and uses the same lines. The last part of the play has been altered slightly: the actors are not represented as sitting in their graves, but are represented as being dead. The young heroine, who had died at childbirth, is seen returning to her

old home, trying to communicate with those living, but unable to do so—they could not hear her. In those scenes, dead and living appear in some scenes, only that the dead could neither be seen or heard. In some of the scenes the heroine is shown both, as a dead person, at her proper age, and as a living person, at different ages. Toward the end she returns to the dead with the feeling that there is greater happiness there. (Unless the director is extremely careful, some confusion may result in these scenes. But Mr. Wood is a fine director, and will undoubtedly handle them with skill.)

What the reaction of the audience will be in the scenes where Frank Craven talks to the audience and then the actors come in to take up the threads of the story and act is problematical; this method of presentation has not been attempted on the screen heretofore. On the stage it was successful, but will it be so on the screen? Perhaps the illusion will be destroyed by this method of presentation.

There is no question that the play will make a picture that will possess charm as well as dramatic power. The first part of the story will be the charming part, and the last the dramatic part. There will be emotion in the last part. But how will the audience react to seeing dead people conversing as if they were living? Past experience shows that audiences do not take kindly to pictures that show dead people as the characters of the story. "Outward Bound," "Lilom," "Earthbound," "The Return of Peter Grimm," "Death Takes a Holiday." All these pictures were excellent artistically; some of them even brought tears to the eyes. But they failed at the box office. "Our Town" may be different. But that remains to be demonstrated. At any rate, an exhibitor will not be ashamed to show such a picture.

BOX-OFFICE PERFORMANCES

Paramount

(Continued from last week)

1939-40

"Death of a Champion": Fair-Poor.
"Range War": Good-Fair.
"Beau Geste": Very Good-Good.
"\$1,000 a Touchdown": Fair.
"Honeymoon in Bali": Very Good-Fair.
"What a Life": Good-Fair.
"Jamaica Inn": Very Good-Fair.
"Television Spy": Fair-Poor.
"Disputed Passage": Very Good-Poor.
"Law of the Pampas": Good-Fair.

Ten pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Very Good-Good, 1; Very Good-Fair, 2; Very Good-Poor, 1; Good-Fair, 3; Fair, 1; Fair-Poor, 2.

RKO

1938-39

"Racketeers of the Range": Good-Poor.
"Girl and the Gambler": Fair-Poor.
"Five Came Back": Very Good-Fair.
"Saint in London": Fair-Poor.
"Career": Good-Poor.
"Way Down South": Fair-Poor.
"The Spellbinder": Fair-Poor.
"Bachelor Mother": Very Good.
"The Bad Lands": Good-Poor.
"In Name Only": Very Good-Good.
"Conspiracy": Fair-Poor.
"Fighting Gringo": Good-Poor.
"Fifth Avenue Girl": Very Good-Fair.
"Everything's On Ice": Fair-Poor.

Forty-five pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent, 1; Excellent-Very Good, 1; Very Good, 1; Very Good-Good, 1; Very Good-Fair, 2; Good, 1; Good-Fair, 10; Good-Poor, 9; Fair, 2; Fair-Poor, 17.

1939-40

"Full Confession": Fair-Poor.
"The Day the Bookies Wept": Fair.
"Nurse Edith Cavell": Very Good-Fair.

Three pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Very Good-Fair, 1; Fair, 1; Fair-Poor, 1.

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TELEVISION "CREEPING UP" ON THE MOTION PICTURE INDUSTRY

Unless the producers produce a larger number of meritorious pictures and give the exhibitor greater latitude in the choice of subjects, television will soon give them violent headaches, and eventually may even put the industry in the discard.

A few weeks ago I saw at the home of Dr. Alfred N. Goldsmith a telecast of "June Moon," the Ring Lardner and George S. Kaufman stage play, and I can tell you that the definition of the image was almost as perfect as is that of motion pictures.

The show ran one hour and ten minutes, not counting the two five-minute intermissions.

I inquired of my host details as to the cost of the performance, and was told that it cost approximately two thousand dollars.

The telecast was not, of course, as elaborate as are moving pictures: it was trimmed of non-essentials, the number of actors employed being small, and the sets and the background plain.

But however simplified was the performance, its cost of \$2,000, when one takes into consideration the fact that "B" pictures of major companies cost anywhere from \$150,000 to \$500,000, is astounding.

The cost of television production is low because no politics are played in the television organizations, and there are no relatives to be taken care of: those connected with the organization devote their entire energies toward putting on the show; they do not spend the stockholders' money chiefly for the purpose of aggrandizing themselves.

The television picture that I saw was, of course, small—7½" x 10"; but, by fall, RCA will be able to telecast a picture 8' x 12', and in the next two years a picture probably as big as 18' x 24'.

Television pictures in natural colors are, to be sure, a long way off—it may be ten years before this improvement is effected; but black and white television pictures are going to be a formidable competitor to the black and white moving pictures, because the former has one advantage that the latter lacks—simultaneous showing over a wide area. This may now be accomplished because of a late invention, making the transmission of television images from the east coast to the west coast possible. And almost every month a new television development is announced.

The motion picture producers had better look out. Instead of wrangling with the exhibitors about block-booking, blind-selling and other such progress-arresting questions, and setting themselves against the government because of their tendency to grab everything to the detriment of the small fellow, they should be employing their energies toward producing a larger number of meritorious pictures, and devising means and ways for cutting down the cost of production. If television can produce a feature of seventy minutes' duration for two thousand dollars, there certainly should be a way of cutting down the cost of moving picture production to one-half of what it is today. Unless they do it, when a sufficient number of sets is sold and the companies are able to induce national advertisers to sponsor the telecast of features, television pictures will have as lavish sets, will be acted by as capable players, and will be as entertaining, as is the case with motion pictures. Just think of what may happen if this should come to pass; Mr. Martin Smith, president of Independent Theatre Owners of Ohio, gives an inkling of it in the organization's bulletin of February 23 when he says:

"With the announcement this week that commercial television is all ready for the American market, it creates a

vast new field of competition to motion picture theatres. There are approximately 18,000 establishments in the State of Ohio that are licensed to sell beer and other intoxicating liquors *by the drink* that represent potential competition to theatres when the former are able to show television programs in their establishments. . . ."

If in the State of Ohio alone there are 18,000 places where beer and liquors (*by the drink*) are sold, what is the total number of such places in all the states combined?

Let the picture producers think this over!

HOLLYWOOD IN HYSTERICS

Hollywood is in hysterics as a result of the announcement made by Congressman Dies, head of the House Committee that is investigating the activities of individuals as well as of organizations that are members of the Communist Party, that he is going to recommend to his Committee to take up the investigation of Hollywood, because his secret agents have unearthed facts proving that many writers, stars, and others are Reds.

Mr. Dies accuses that a copy of his secret investigators' report has fallen into the hands of the producers in Hollywood. Consequently, the names of such stars or writers as he intends to call as witnesses have become known to them.

Most Hollywood trade papers, in a desire to render service to their masters, have been shrieking against Mr. Dies' decision to call to Washington prominent stars to explain their activities, on the ground that their reputation will be injured even if they should be proved innocent of any connection with the Reds. Only Robert E. Welsh, of *The Box Office Digest*, has taken a sensible attitude. In an editorial he published in the February 16 issue of his paper, condemning these editorial outbursts on the ground that they make the producers appear as if they are on the defensive, he says: "Dies is a clever politician," we say. Would it do us any harm to at least make a try at being intelligent, if we can't be clever or political? Has a battle ever been won by fighting the way the other fellow wants you to?" He then recommends that Mr. Dies be welcomed to Hollywood instead of being fought and called names.

That Mr. Dies is a "publicity hound" hardly any one will deny. Nor will he deny that Mr. Dies has branded as Reds innocent persons, merely because they happened to be liberals. On the other hand, no one, unless he be mentally blind, will deny that he, by ferreting out the unamerican activities of many a person living in the United States, has served his country well. The passport frauds of persons connected with the Communist party is just one service. Besides, the majority of the American people are in sympathy with his work.

Allowing the trade papers in Hollywood to hurl editorial explosives at Mr. Dies does the producers no good. If there are no Communists in Hollywood, why the hysteria? On the other hand, a fight against the investigation may lead the people of the United States to believe that there is considerable truth in the accusation.

The belief of some of the trade papers that the mere calling of prominent stars as witnesses will hurt their drawing powers may or may not be true. In the opinion of this paper, the truth hurts nobody; if those who will be called as witnesses are innocent, they will be soon reestablished in the minds of the public.

The heads of the picture companies should take steps to stop this hysteria of the trade paper editors, who are resorting to editorial explosives more to please them than to render the industry a real service.

"Castle on the Hudson" with John Garfield, Pat O'Brien and Ann Sheridan

(First National, February 10; time, 76 min.)

This is a remake of "20,000 Years in Sing Sing," which was produced in 1933. Like the first one, it is a strong prison melodrama, unpleasant in some respects, but gripping for the most part. It is, however, strictly adult fare, for some of the situations and dialogue are pretty suggestive. Most of the comedy is concentrated in the first half; the laughter is provoked by the methods employed by the warden in breaking down the arrogance of the hero, who had contempt for law and order. The second half is more dramatic, for during that time there is an attempted prison break, and a murder. And in the end, the hero goes to his death:

John Garfield, a criminal, who boasted about his cleverness in evading the law and who thought himself a great guy, finally slips up on one of his jobs and is caught. He is tried, convicted, and sentenced to Sing Sing; but he feels certain that his lawyer (Jerome Cowan) would soon get him out. His sweetheart (Ann Sheridan) is heartbroken, and promises to do all she could for him. Garfield finds it difficult to take orders and makes a nuisance of himself. When Miss Sheridan visits him and tells him that she had been planning to see Cowan so as to urge him to help Garfield, he warns her to keep away from Cowan, for he knew that Cowan wanted her. Garfield plans to escape from prison with Burgess Meredith and two other prisoners; but when he realizes that the day set for escape was a Saturday, he refuses to go, for he was superstitious—it had always proved unlucky for him. The prison break proves unsuccessful. Garfield becomes a more reasonable prisoner, and for this the warden (Pat O'Brien) shows him consideration. When O'Brien receives a telegram informing him that Miss Sheridan was dying, he lets Garfield out of jail to visit her, on his word of honor that he would return. Garfield learns that the accident had been caused by Cowan, who had tried to force his attentions on Miss Sheridan while they were riding in an automobile; she had jumped from the car. Garfield grabs her gun with the intention of going after Cowan; but Miss Sheridan prevents him and orders him to give her the gun. Just then Cowan enters, his intentions being to buy Miss Sheridan off; she had offered to sign a paper clearing him if he would give her \$10,000 which she had wanted to use to help Garfield. Cowan and Garfield have a terrific fight, and as Cowan was about to harm Garfield Miss Sheridan shoots and kills Cowan, and pleads with Garfield to run away. Garfield hides out; but when he reads about the trouble O'Brien was having, he returns to prison. He is tried on a murder charge and sentenced to the electric chair. Despite Miss Sheridan's pleas that it was she who had killed Cowan, Garfield refuses to talk and so he goes to his death.

Lewis E. Lawes wrote the story, and Courtney Terrett, Brown Holmes, and Seton I. Miller, the screen play; Anatole Litvak directed it, and Hal Wallis produced it, with Samuel Bischoff as associate producer. In the cast are Henry O'Neill, Margot Stevenson, Quinn Williams, and others.

Unsuitable for children and adolescents. Adult fare. Class B.

"Young Tom Edison" with Mickey Rooney

(MGM, March 15; time, 85 min.)

Here is a picture that should prove not only inspiring to the youth of the country but vastly entertaining to both young and old. Supposedly based on the life of Edison as a young boy, it relates, in an episodic fashion, the sufferings of a young boy who was misunderstood by most people, but who carried on mostly because of the devotion and understanding of his loving mother. The scenes between mother and son are handled beautifully and touch one deeply.

There is plentiful comedy, resulting from the young Edison's curiosity to find out the reason for things. For instance, curious to learn what would happen if two certain chemicals were mixed, he carries out his experiment while at school, causing smoke to issue forth, thereby bringing out the fire department, worrying parents. Another comical, and at the same time thrilling, situation is that in which young Edison, who had a concession to sell things on a train, tries to interest an army officer, who was riding on the train, in an explosive he had prepared. When the officer questions him as to the contents, the young man lists them, and the offi-

cer realizes that the boy had made a mixture of nitroglycerin. The excitement that follows, and the methods employed to get rid of the high explosive, are the cause for much hearty laughter.

The most thrilling situation comes towards the end when Edison, who up until that time had been considered by the neighbors as "touched-in-the-head," and had been insulted and laughed at by every one in town, proves to them his genius when he prevents a train wreck. Since Edison's sister was on the train that was approaching a washed-out bridge, he, by means of a train whistle, blows a warning signal in code, which she understood. She convinces the railroad conductor of their danger and stops the train in time. It is this act that wins recognition for young Edison, and starts him on his career as a telegraph operator.

There is plentiful human interest, for one is in deep sympathy with the young boy. Mickey Rooney acts the part of young Tom Edison with understanding and feeling. And he is given excellent support by a competent cast.

MGM intends to follow this picture with another in which Spencer Tracy will portray Edison the man.

Bradbury Foote, Dore Schary, and Hugo Butler wrote the screen play from material supplied by H. Alan Dunn. Norman Taurog directed it, and John W. Considine, Jr., produced it. In the cast are Virginia Weidler, George Bancroft, Eugene Pallette, Victor Kilian, J. M. Kerrigan, and others.

Class A.

"Women Without Names" with Ellen Drew, Robert Paige, Judith Barrett, John Miljan, Fay Helm, John McGuire and Louise Beavers

(Paramount, March 15; time, 62½ min.)

A well directed, and artistically photographed prison melodrama, the kind which followers of this type of pictures may enjoy, provided they are willing to overlook the illogical motivations. How illogical such motivations are may be judged by the fact that the hero, an intelligent-looking young man, when he finds in the heroine's home the body of a murdered man, with a gun laying by his side, takes the gun in his hand. Even children nowadays know that a gun should not be touched under such circumstances, because it might furnish the clue to the murderer's identity. This is one illogical motivation; the other is when the police fail to take fingerprints of everything in the room. The real murderer's mark undoubtedly had been left on the glass, from which he was drinking milk. Had they resorted to such a procedure, routine to police in such cases, the real murderer would, of course, have been found, because his fingerprints were on file at police headquarters. But in such an event, there would have been no story to tell, and no picture. After these discrepancies are forgotten, the spectator begins to enjoy it, for his emotions are stirred by the sight of an innocent man condemned to hang. The loyalty between hero and wife heroine, too, is touching. And the escape from prison of the heroine with another girl, who were headed for a newspaper office to tell their story, is thrilling.

The story is that of a hero, who meets a beautiful girl and, in spite of the fact that she had disclosed to him that she had served time, even though she was innocent, he marries her. Planning to go South, they return to her house to take her wearing apparel. As they enter, they hear a shot and, when they go to the next room to investigate, they find a detective dead. The ex-husband, followed by his "flame," had gone there because he was still madly in love with the heroine. Naturally the two are arrested; they are tried and, because of circumstantial evidence, are convicted—he to the gallows, and she to life imprisonment. At the penitentiary where the heroine is kept, is brought also the murderer's sweetheart. The sight of the heroine arouses her hatred and she tries to do bodily injury to her. During a fight, the heroine suffers solitary rather than squeal on the guilty girl. This so changes this girl that, through her testimony, the hero's life is saved and the heroine freed.

The story is by Ernest Booth; the screen play, by William R. Lipman and Horace McCoy. Robert Florey directed it, and Eugene Zukor produced it.

Suitability, Class B.

"Five Little Peppers at Home" with Edith Fellows and Clarence Kolb

(Columbia; February 8; time, 65 min.)

An inoffensive little picture, suitable for a double bill. There is some human interest as a result of the displaying of loyalty and good character, and the action is fairly fast. There are also mild thrills, occasioned by the cave-in of a mine, and some joyfulness when the cave-in discloses the long sought for copper vein. There is no romance.

This is the second "Little Pepper" story, produced by Columbia. This time Polly Pepper (Edith Fellows) owns a copper mine jointly with John King (Clarence Kolb), a financier. As a result of financial reverses, Kolb suffers a heart attack, and since he is unable to meet the mortgage, his home is sold. Mrs. Pepper (Dorothy Peterson) and the five little Peppers, who were guests of Mr. Kolb, invite him, Jasper, his grandson (Ronald Sinclair), to live with them at their modest home. Kolb accepts and finds happiness there. Ronald's wealthy aunt Martha (Laura Treadwell) hears about Kolb's reverses and goes to the Peppers' home to take Ronald away, to live with her. Ronald goes, but only with the secret hope that he would be able to induce his aunt to help his grandfather. He is, however, unsuccessful. Martin (Rex Evans), butler of the King household, refusing to be discharged, had followed Kolb to the Peppers' home. One day he comes upon some rich minerals and a map of the mine, and when he tells the children that in his youth he had studied mineralogy, they all decided to go to the mine to explore it. While there a cave-in traps every one except young Ben Pepper (Charles Peck); he goes for help. Eventually they rescue them. But the cave-in had disclosed a rich copper vein. This enables Kolb to borrow money from the bank to buy back his old home. But, having found real contentment with the Peppers, he builds a fine home on the spot, for himself and for the Pepper family.

Harry Sauber wrote the screen play, from Margaret Sidney's book, and Charles Barton directed it.

Suitability, Class A.

"The Man from Dakota" with Wallace Beery and Dolores Del Rio

(MGM, February 16; time, 74 min.)

Unimpressive program entertainment. It is a mixture of melodrama and comedy, with a Civil War background; but it fails to impress one either with its drama or its comedy. About the only thing to be said in the picture's favor is the performances by the three leading players, who try hard to give substance to mediocre material, and the competent direction. Even the end, which is supposed to be heroic and exciting, strikes one as being slightly silly. As for the comedy, it consists mostly of "mugging" on the part of Wallace Beery, who plays the part of a lazy soldier in a style already familiar to audiences. The romance is mildly pleasant:

John Howard and Wallace Beery, two union soldiers, escape from a rebel prison camp. They are compelled to walk through swamps and hide in order to avoid capture. While hiding, they hear a shot and rush out. They find Dolores Del Rio, a Russian, who had just shot her fiance, a Confederate officer, in self defense. He had told her that he was going to marry some one else, and when she had resented his suggestion that she stay on and pose as his sister, he had tried to kill her. In the scuffle that followed, he had been killed. Beery and Howard take from the dead man a map that was a valuable means of guiding them; but, since the notations were in Russian, they are compelled to take Miss Del Rio with them to translate the Russian words. Howard, upon examining the map closely, realizes that the rebel troops were planning a clever coup to break the Union Army. He is, therefore, determined to reach Union headquarters in order to stop General Grant from walking into the trap with his troops. But they meet with adventures that prevent them from reaching camp. While hiding, they notice Grant's troops approaching. Howard makes a dash to waylay a Confederate officer, so as to use his uniform and horse to rush towards Grant. But he is knocked out. Beery takes his place and saves the troops. He is wounded, but recovers. Howard and Miss Del Rio are happy at being saved.

MacKinlay Kantor wrote the story, and Lawrence Stallings, the screen play; Leslie Fenton directed it, and Edward Chodorov produced it. In the cast are Donald Meek, Robert Barrat and Addison Richards.

Suitability, Class A.

"Convicted Woman" with Rochelle Hudson

(Columbia, January 31; time, 66 min.)

Not only is the plot of this melodrama trite, but some of the situations are so far-fetched that they are ridiculous. It is typical program stuff, patterned along familiar lines, offering little that is novel in the way of plot development. Moreover, the story and background are sordid. Even the romance lacks credibility:

Rochelle Hudson is arrested on a theft charge of which she was innocent. Although she had been defended by a well-known lawyer (Frieda Inescort), she is convicted and sent to a reform home, which was known for its poor living conditions and rigid discipline. Miss Hudson finds the place even worse than it had been described—June Lang, one of the prisoners, literally ran the place, demanding money for privileges. Miss Lang offers to help Miss Hudson escape for fifty dollars. Not having the money, Miss Hudson gets in touch with a young newspaper reporter (Glenn Ford) she had met, and he brings the money to her; she, in turn, gives him a story about the suicide of one of the girls. But Miss Lang doublecrosses Miss Hudson, and prevents her escape. When Ford publishes the story, it creates a scandal. Miss Dale is removed and Miss Inescort is put in her place. She changes everything around, making it a decent place for the girls to live in, even permitting them to hold a dance; and she encourages them to study a profession. Miss Hudson is one of ten girls permitted a holiday leave of absence. Miss Lang, working on a scheme with Miss Dale, engages gangsters to kidnap Miss Hudson, so that she could not return to the home, thereby discrediting Miss Inescort. But Ford finds out about the trick, rescues Miss Hudson, and helps her get back to the home. He and Miss Hudson are happy to learn that she had been given a pardon, for they had fallen in love with each other.

Martin Mooney and Alex Gottlieb wrote the story, and Joseph Carole, the screen play; Nick Grinde directed it, and Ralph Cohn produced it. In the cast are Lola Lane, Iris Meredith, Lorna Gray, William Farnum, and others.

Not for children. Suitable for adolescents and adults. Class B.

"East Side Kids" with Leon Ames

(Monogram, February 10; time, 62 min.)

A routine program melodrama. So many pictures on similar themes have been produced, that the subject matter is becoming somewhat tiresome. The story offers nothing new in plot development, and lacks the good production values of the major company outputs that have dealt with the theme of how slum environment affects young boys. It may, however, entertain the action fans, who enjoy "cops-and-robbers" pictures, for gangsterism is part of the plot. The love interest is incidental:

In an effort to get the boys of the slum district off the street, Leon Ames, a private detective, organizes a boys' club. But the tougher boys refuse to join. Hally Chester, one of the tough boys, is unaware of the fact that his brother had been tried on a murder charge and had been given the death penalty. Richard Adams, who was angry because Chester and his gang had played in front of his store, warns Chester that he would end up as had his brother. Ames, who had happened along, and had tried to prevent Adams from talking, is demoted for having exceeded his duties, and goes back to the post of ordinary policeman. He convinces Chester that he believed his brother was innocent and that he was trying to do everything in his power to get the real criminals. The boys all join the club. They are glad when a former resident of their section (Dennis Moore), returns and offers to teach them new "angles." They did not know that he was a criminal. One of Moore's henchmen, posing as a business man, offers to employ the boys to hand out circulars. The boys are unaware of the fact that the circulars contained counterfeit five dollar bills. Moore had purposely carried out that plan so as to place suspicion on Ames. Eventually the whole thing comes to light, and Ames traps the criminals. In a heroic effort to help Ames, one of the boys is killed. Before dying, Moore confesses, clearing Chester's brother. Ames is promoted, and marries Joyce Bryant.

Robert Lively wrote the story and screen play, Bob Hill directed it, and Sam Katzman produced it. In the cast are Vince Barnett, Dave O'Brien, Maxine Leslie, Sam Edwards, and others.

Not for children. Suitable for adolescents and adults. Class B.

"POISON PEN" PROPAGANDA

In last week's issue, in calling to your attention to the AMPA Committee's folder in which civic, religious and fraternal leaders, supporters of the Neely Bill, were caricatured and "dubbed" sneaks, snoops and snatches, I overlooked informing you of one fact—that the folder is anonymous; that is, no name was put on it to enable the reader to identify the publishers.

Today society has come to consider the writing of anonymous letters as a low act, for they betray cowardice of the meanest kind. Next to the writers of anonymous letters, the public puts in that class circulators of anonymous printed statements designed to oppose an issue. Such a method is low because it does not give those whom the printed statement hits the opportunity to call to account the authors of them.

HARRISON'S REPORTS does not hold the entire membership of Associated Motion Picture Advertisers guilty of this offense; to my knowledge many of the members would not stand for this method of attack if it had come to their attention. But just the same the reflection falls upon all, innocent and guilty, alike.

SUCCESS OF "GONE WITH THE WIND" UPSETTING THOUGHTS AND THEORIES

The unprecedented success of "Gone With the Wind" at the box office is putting into the minds of the other producers thoughts that may eventually do much harm to the industry, for every one of them is having visions of similar pictures.

It is hard to make them believe that such pictures as "Gone With the Wind" are as rare as radium; they come along once a lifetime.

I pity the exhibitors for what will happen to them next season; demands are sure to be made of them for percentages that they have never dreamed of. If they should, under high-salesmanship pressure, yield to the distributor demands, the number of theatres that will go dark will be great.

The producers are fighting the Neely Bill, the purpose of which is to outlaw full-line forcing, commonly called "block-booking." "Gone With the Wind" will eventually do more to kill block-booking, even if their war against the Neely Bill succeeded, than the most optimistic supporters of the Bill have ever dreamed of. Next season they will single out so many pictures to put in the "Gone With the Wind" class, or the next class to it, that block-booking, with its fellow-traveller, blind-selling, will have no reason for existence.

Next summer, every one of you will be confronted with the crisis of your exhibiting career. The distributors will ask you to pay 50%, 60%, and even 70%, for pictures that will not be worth even half that percentage. Some of you may be so situated as to be able to resist such demands; but can those who are confronted with stiff competition resist them?

There is only one thing that will bring you relief—the outlawing of block-booking and blind-selling. If the distributor says that his picture is worth a certain percentage of the intake, it should be left to the picture to prove it; but he should not saddle you with his "B," "C," and "D" junk. For this reason you should do everything in your power to help the passage of the Neely Bill. It is your only salvation.

RKO RADIO PICTURES, INC.
RKO BUILDING
New York, N. Y.

February 23, 1940.

MR. PETE HARRISON
1270 Sixth Avenue
New York, N. Y.

Dear Pete:

In your issue of February 10th, under the heading of ABRAM F. MYERS' TALK BEFORE THE SCREEN WRITERS' GUILD, you quote Mr. Myers as saying that THE INFORMER was "jerked" at the RKO theatre in Washington three days after its opening.

For your information, THE INFORMER played a full week at our first run theatre in Washington, from May 10th to 16th, 1935, and was not "jerked," as Mr. Myers stated.

With kind regards,

Sincerely,

NED E. DEPINET.

BOX OFFICE PERFORMANCES

Twentieth Century-Fox

1938-39

"It Could Happen to You": Fair.
"Mr. Moto Takes a Vacation": Fair-Poor.
"Second Fiddle": Very Good-Good.
"News Is Made at Night": Fair.
"The Ware Case": Fair-Poor.
"Frontier Marshal": Good-Fair.

Sixty-seven pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent, 3; Excellent-Good, 2; Very Good-Good, 4; Very Good-Fair, 6; Very Good-Poor, 2; Good-Fair, 20; Good-Poor, 12; Fair, 5; Fair-Poor, 13.

1939-40

"Elsa Maxwell's Hotel for Women": Very Good-Fair.
"Chicken Wagon Family": Fair-Poor.
"Stanley & Livingstone": Excellent-Very Good.
"The Jones Family in Quick Millions": Fair-Poor.
"The Adventures of Sherlock Holmes": Fair.
"Charlie Chan on Treasure Island": Fair.
"The Rains Came": Excellent-Very Good.
"Stop, Look and Love": Good-Fair.
"Here I Am a Stranger": Fair.
"The Escape": Fair-Poor.

Ten pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 2; Very Good-Fair, 1; Good-Fair, 1; Fair, 3; Fair-Poor, 3.

United Artists

1939-40

"Winter Carnival": Fair.
"Four Feathers": Excellent-Fair.
"Man in the Iron Mask": Very Good-Good.
"They Shall Have Music": Fair-Poor.
"Intermezzo: A Love Story": Good-Fair.
"The Real Glory": Very Good-Good.
"Eternally Yours": Very Good-Fair.

Seven pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Fair, 1; Very Good-Good, 2; Very Good-Fair, 1; Good-Fair, 1; Fair, 1; Fair-Poor, 1.

Universal

1938-39

"The Forgotten Woman": Fair-Poor.
"Unexpected Father": Very Good-Fair.
"I Stole a Million": Fair.
"When Tomorrow Comes": Excellent-Fair.
"First Love": Excellent-Very Good.

Forty-seven pictures, excluding one Western, have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 2; Excellent-Fair, 1; Very Good-Good, 2; Very Good-Fair, 4; Good-Fair, 5; Good-Poor, 3; Fair, 9; Fair-Poor, 20; Poor, 1.

1939-40

"Mutiny on the Black Hawk": Good-Poor.
"The Under Pup": Good-Fair.
"The Mikado": Fair-Poor.
"Desperate Trails": Poor.
"Hawaiian Nights": Fair-Poor.
"Two Bright Boys": Good-Fair.
"The Witness Vanishes": Fair-Poor.
"Rio": Fair-Poor.
"Hero for a Day": Fair-Poor.
"Tropic Fury": Good-Poor.
"Oklahoma Frontier": Poor.
"Little Accident": Good-Fair.
"Call a Messenger": Good-Fair.

Thirteen pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Good-Fair, 4; Good-Poor, 2; Fair-Poor, 4; Poor, 3.

HARRISON'S REPORTS

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Devoted Chiefly to the Interests of the Exhibitors

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Vol. XXII

SATURDAY, MARCH 9, 1940

No. 10

WHY THE SCREEN WRITERS' GUILD VOTED DOWN THE NEELY BILL

As stated in these columns in the February 10th issue, the Screen Writers' Guild submitted to its membership the question whether the organization should or should not support the Neely Bill; and, as this paper predicted, the membership voted to oppose it on the ground that Section 4 has censorship features in it. At the same time, they voted to go on record as being opposed to monopoly and as being prepared to support any proper legislation for combating it if it should be proved that a monopoly exists.

The opinion of the members was obtained by means of the following questions:

1. Do you oppose the Neely Bill with its censorship dangers as contained in Section 4?

2. Should the S. W. G. (while opposing the Neely Bill because of Section 4) take a stand against monopolistic tendencies in the motion picture industry?

3. Should the S. W. G. sidestep the entire matter?"

Because of the manner in which the questions were framed, the result could not be different, for what the framers of these questions told the members was, in effect:

"We, your officers, have studied the Neely Bill and have come to the conclusion that its Section 4 is nothing but a censorship measure. For this reason, we are opposed to it (as implied in parenthetical expression in question No. 2), and want you to endorse our stand."

In a court action, which is an impartial inquiry such as the one conducted by the Guild should have been, these questions would have been characterized as "leading," because they point out definitely the kind of answer wanted, and the court would have sustained an objection to them, barring the witness from answering them. Certainly the officers of this organization cannot be accused of lacking in the intelligence required to frame questions properly and to put them before the membership in such a way as to obtain an unbiased verdict; and since they were not framed in that way, it is natural to assume that they had set out to obtain a vote of disapproval. In other words, they "stuffed" the ballot boxes.

Why should they not have taken such a stand? The questions of film prices and of picture monopoly are not of immediate concern to them. If the major companies charge the independent exhibitor crushing prices, and subject him to all sorts of unfair trade practices, their own interests are not affected directly or immediately; but a requirement for submitting to the exhibitors a synopsis of the unborn picture before sale, made compulsory by a law, is of immediate concern to them, for it encroaches upon their preserves. Can you imagine what may happen if the synopsis provision should be enforced? It would put every writer to the acid test.

What is true of every other profession is no less true of the writing profession: there is a small number who know their business well. Such persons fear no innovation; they have confidence in their own ability, and know that such ability will always be in demand. What do such writers care whether there is or there is not a Neely Bill on the statute books? Their services will be sought after under any conditions. But there are on the payrolls of the studios also writers who know little about their craft. They have been put into their jobs through either relationship or politics. Such writers certainly want no change in the prevailing system, for if the synopsis provision should be put into effect they would have to show results, or else be kicked out.

Between these two groups, there are intermediate groups, of varying ability. These, too, much oppose a change in the system, for they fear innovations, not knowing how they will fare under them.

What the number of those who favored the endorsement of the Neely Bill is we are not in a position to know, for the Guild's executive board has not revealed it, being content to announce the majority opinion, with the statement that the Guild has decided to oppose Section 4 of the Bill as being inimical to the interests of the writers, of the motion picture industry, and of "the public at large."

Why and how the interests of the public will suffer if the Neely Bill were to become a law the board did not say; but it would take an orator with an incomparable gift of gab to convince even a small number of intelligent persons that the public's interests will suffer if the exhibitors were told in advance, through a synopsis, what was to be the nature of the story that was to be put into a picture, so that they might be enabled to determine whether such a picture would or would not prove suitable to the people of their communities. But the Guild says that Section 4 is a censorship measure, which will make the interests of the public suffer. Perhaps the Executive Board of the Guild will explain the censorship that is exercised by the producers themselves. Walter Wanger, to whom the question was put on the day Mr. Myers addressed the Guild, could not explain it. Perhaps the board will tell us why it is fair for the producers alone to say what stories shall and what shall not be put into their pictures, but unfair for the exhibitors to say what pictures should and what should not be shown on their screens!

DISTRIBUTOR CONCESSIONS DEFINED

The independent exhibitors are indebted to energetic P. J. Wood, business manager of Independent Theatre Owners of Ohio, for the clarification of the matter of trade reform concessions to them by the different distributors.

Mr. Wood submitted to all major companies the following questions:

1. What are the exact cancellation privileges?
2. Can features be purchased without short subjects?
3. Can features be purchased without newsreels?
4. Have all score charges been eliminated?

The different companies replied as follows:

Columbia

(By ABE MONTAGUE, *General Sales Manager*)

1. Each salesman is to make his own terms to the exhibitor.

2. Columbia does not force shorts, definitely.
3. No separate charge for score.

Mr. Montague does not make it clear whether the score charges are added to the film rental on flat-rental sales, but I am inclined to believe that he means: "No score charge whatever."

Metro-Goldwyn-Mayer

(By W. F. RODGERS, *General Sales Manager*)

1. On sales of entire product, a cancellation of 20% if average film rental is \$100 or less; 15% if more than \$100 and less than \$250; and 10% if the average is more than \$250.

2. and 3. Will not insist upon leasing short subjects, newsreels or trailers as a condition of licensing features.

4. No score charges.

Paramount

(By J. J. UNGER, *Division Manager*)

1. On sales of entire output, same as MGM.

2. and 3. Features may be purchased without either shorts or newsreels.

4. Score charges, as such, have been eliminated. (Perhaps Mr. Unger means that, in flat-rental sales, they are added to the film rentals. His statement needs further clarification.)

(Continued on last page)

"Seventeen" with Jackie Cooper and Betty Field

(Paramount, March 1; time, 76 min.)

This modernized remake of Booth Tarkington's story of adolescence is fair entertainment. So many pictures touching upon the same subject have been produced since this story was first brought to the screen (by Paramount, in 1916, with Jack Pickford), that the theme has been worn pretty thin. Moreover the subject has been handled with better understanding and with more humor in other pictures such as Metro's "Hardy" series. There are in this picture, however, moments that stir one's emotions because of the sympathy one feels for the young hero, who was in the throes of a puppy-love affair with a callous young girl. And his efforts to appear grown-up occasionally provoke laughter. But all in all, it is just a fair program picture, with an appeal mostly to youngsters:—

Jackie Cooper feels that, since he had reached the age of seventeen, his family should treat him with more respect. His life is carefree until he meets Betty Field, a young sophisticated girl from Chicago, visiting an old school-friend; then his troubles begin. First he buys a car on time payments, which he is unable to meet; then, wishing to impress Miss Field, he invites her to a night club and dresses up in his father's formal evening clothes. He forgets all about the fact that he was supposed to study in order to prepare himself for college entrance examinations, spending most of his time either day-dreaming about Miss Field, or trying to devise some means by which he could get enough money to meet his debts so as to continue taking Miss Field out. But everything is straightened out eventually—the dealer takes the car away from Cooper, and Miss Field goes back to Chicago with a young man to whom she had once been married, the marriage having been annulled by her parents. Cooper's parents sympathize with him in his despair.

Agnes Christine Johnston and Stuart Palmer wrote the screen play, Louis King directed it, and Stuart Walker produced it. In the cast are Otto Kruger, Ann Shoemaker, Norma Nelson, Betty Moran, and others.

Suitability, Class A.

"Free, Blonde and 21" with Lynn Bari, Joan Davis and Henry Wilcoxon

(20th Century-Fox, March 29; time, 66 min.)

This comedy-drama takes up where "Hotel for Women" left off; it is just a fair entertainment. The first half is mostly conversational; whatever action there is in it is found towards the end. The background is, however, lavish; this may help the picture along at the box-office, as far as women patrons are concerned. Most of the story revolves around a young girl who shows such vicious traits that one becomes annoyed with those who try to help her. Lynn Bari and Henry Wilcoxon are appealing characters, but their respective parts are comparatively unimportant, and so there is no one for whom the spectator can feel concerned about; the picture, therefore, lacks human appeal. The most entertaining parts are those in which Joan Davis appears; she provokes laughter by her antics:—

Mary Beth Hughes, who lived at a hotel catering exclusively to women, pretends to have attempted to kill herself because of her broken romance with a married man. Miss Bari, who lived at the same hotel, sees through the trick; yet she accompanies Miss Hughes to the hospital. Miss Bari tells Henry Wilcoxon, the head of the hospital, what she thought about the suicide and, agreeing with her, he gives Miss Hughes the "works," just to teach her a lesson. Robert Lowery, an interne, believing that she had tried to kill herself, feels sorry for her, so young and beautiful a creature. After she returns to the hotel, he sees her quite often and falls in love with her. But she resents his long working hours and lack of recognition, and so decides to do some stepping out. She flirts with Alan Baxter, and thereafter spends all her time with him. It develops that he was a crook. He involves her in one of his holdups, during which he is shot. Frantic, Miss Hughes calls Lowery to help her. When he arrives and states that it is a case that must be treated in a hospital and be reported to the police, she pleads with him to save her from a scandal, on the ground that Baxter was her brother. Lowery takes them to the seaside cottage owned by Wilcoxon, where he operates on Baxter; but the patient dies. Placing the body in an abandoned spot, he informs the police without giving names. But the police eventually trail the case to Wilcoxon's cottage and arrest Wilcoxon. Lowery, however, who had left town but had read about the murder, returns to clear Wilcoxon. Because of investigations carried on by Miss Bari and Miss Davis, a maid at the hotel, the police are able to trap Miss Hughes into confessing that she had

tricked Lowery. Wilcoxon is freed; he and Miss Bari marry.

Frances Hyland wrote the original screen play, Ricardo Cortez directed it, and Sol M. Wurtzel produced it. In the cast are Katharine Aldridge, Helen Ericson, Chick Chandler, and others.

Not for children or adolescents. Adult fare. Class B.

"Bullet Code" with George O'Brien

(RKO, April 5; time 58 min.)

A typical George O'Brien western, with plentiful action, good horseback riding, and exciting fights. The story is routine; but it should hold the interest of the average Western fan, for it has all the ingredients that appeal to them—a courageous hero who outwits the villains, bringing law and order to a community. The photography is good, particularly in the outdoor scenes:—

O'Brien, unhappy at the thought that he had killed a young man from his own outfit who had sold out to rustlers, keeps a promise, which he had made to the man before he died, to visit his folks to tell them what had happened. When he meets the father and sister of the dead man, he cannot tell them, for he found out that they worshipped the boy. Instead, he lends them his support in a fight they were having with an unknown enemy who was trying to force them off their ranch. O'Brien soon discovers who the guilty person was, but cannot denounce him until he had sufficient evidence to prove his guilt. Two of the henchmen who had been hired by the villain had been part of the rustling outfit that had attacked O'Brien's roundup; it was one of these men and not O'Brien who had killed the young man. In a desire to discredit O'Brien, the murderer tells the dead youth's sister that her brother had been murdered, and that O'Brien had committed the murder. Angry, she orders O'Brien off the ranch. He goes; then it suddenly dawns on him that the man who had given the heroine the information must have been the murderer, for no one else had known about the young boy's death. He rushes back to the ranch, taking with him the Sheriff and a posse. They drive off the villain and his men, and capture the murderer, who admits his guilt. The heroine and hero are united.

Bennet Cohen wrote the story, and Doris Schroeder, the screen play; David Howard directed it, and Bert Gilroy produced it. In the cast are Virginia Vale, Slim Whitaker, Howard Hickman, Harry Woods, and others.

The murder makes it unsuitable for children; all right for adolescents and adults. Class B.

"Little Orvie" with John Sheffield and Ernest Truex

(RKO, March 1; time, 65 min.)

Entertaining for children, but doubtful for adults. It is a mildly interesting story, revolving around the efforts of a young boy to induce his mother to permit him to have a dog. The beginning is somewhat amusing, due to the trouble the young boy gets into innocently. But thereafter it slows up, and, except for occasional amusing bits, becomes tiresome. There is one situation that is not particularly edifying for young folk; it shows the young boy, who knew that the family maid was secretly married, compelling her to take his dog and care for it, threatening otherwise to tell his mother about her secret marriage. Young John Sheffield is a good actor and a real boy. His performance and those of the others are good enough; it is just that the story is too weak to stand up:—

Sheffield is the cause of bickering between his parents. His mother (Dorothy Tree) believed in talking to him in order to make him a good boy, while his father (Ernest Truex) believed in whipping him, an act that Miss Tree forbade. Sheffield wanted a dog more than anything else in the world, but his mother, who took particular pride in her furniture, refuses to permit him to have one for fear lest the dog spoil the housefurnishings. Sheffield, however, sneaks into his bedroom a puppy that had been given to him by Ann Todd. When the dog takes sick the next day, he returns it to Miss Todd's mother, with the plea that she try to cure it. He returns home heartbroken, and decides to run away. He goes to Ann's home again. When her mother sees him she realizes he was running away from home. Miss Tree, who was frantic with worry, is overjoyed when she receives a telephone call from Ann's mother. She rushes to their home, promising to give Sheffield anything he wanted, including a dog, if it would make him happy.

The plot was adapted from the story by Booth Tarkington. Robert Chapin, Lynn Root, and Frank Fenton wrote the screen play, Ray McCarey directed it, and William Sistrom produced it. In the cast are Kathleen Howard, Willie Best, Fay Helm, and others.

Suitability, Class A.

"Double Alibi" with Wayne Morris and Margaret Lindsay

(Universal, March 1; time, 60 min.)

A good program murder-mystery melodrama. The plot is somewhat far-fetched; nevertheless it holds one's attention throughout, because of the interesting developments. The identity of the murderer is concealed cleverly until the end. Most spectators will be surprised when it is revealed, for he was the one least suspected. Up until that time, one suspects Wayne Morris, for everything seems to point to him as the guilty person; but, by a clever twist, it is shown that he was innocent. There is little comedy relief, and the romance is just incidental:—

Wayne Morris is sought by the police for the murder of his divorced wife. Having been shot in the arm by a pursuing police officer, and eager to evade the police who were looking for him, he walks into a newspaper office, where he is mistaken for a new reporter who was due to arrive from out-of-town. The first assignment the editor gives him is to cover the very case in which he was being sought. In company with Roscoe Karns, photographer, he goes to the scene of the crime. Later, Margaret Lindsay follows him there, and then takes him to her apartment to call the paper. While there he faints, and Miss Lindsay discovers the gun wound. She extracts the bullet and cleans the wound; she then revives Morris and tells him that she knew he was not the reporter but the man wanted by the police. He admits this fact, but insists upon his innocence. Having taken a liking to him, Miss Lindsay offers to help him. In the meantime, two other persons are killed, and everything seems to point to Morris as the killer; even Miss Lindsay thinks he is guilty. But he proves to the police that he was innocent; as a matter of fact, he shows that the murders had been committed by a police captain, who knew of money hidden by one of his victims, committing the murders in an effort to get the money. With his name cleared, Morris is able to confess his love for Miss Lindsay.

Frederick P. Davis wrote the story, and Harold Buchman, Roy Chanslor, and Charles Grayson, the screen play; Philip Rosen directed it, and Ben Pivar produced it. In the cast are William Gargan, James Burke, Robert Emmett Keane, William Pawley, and others.

Not for children. Suitable for adolescents and adults. Class B.

"Blondie on a Budget" with Penny Singleton, Arthur Lake and Larry Simms

(Columbia, February 29; time, 73 min.)

Where the other "Blondie" pictures have gone over, this new one in the series is sure to please, for it is more comical than the others, and holds one in tense suspense. Although the plot is made up mostly of gags, some of which are routine, they are, for the most part, so comical that they keep the audience laughing. High class audiences may find the whole thing somewhat silly, but the masses, particularly those who are not too exacting in their demands, will undoubtedly find it entertaining:—

Arthur Lake hints to his wife (Penny Singleton) that he would like to join a fishing club; but, when she hears that the membership fee would be \$200, she becomes angry, insisting that their budget could not stand it. She tearfully tells Lake that she was longing to buy a certain fur coat but that she realized she could not afford it and so had given up the idea. Rita Hayworth, who had arrived at Lake's home with business papers, offers to drive him to his appointment with Don Beddoe, a neighbor with whom Lake was to go fishing. But instead of taking him to the appointed place, she drives into the country, much to Lake's embarrassment. The car breaks down, and they have to be pulled in. Miss Hayworth induces Lake to go to the movies with her while the car was being repaired. She fills out a ticket for him in a contest. To his surprise he learns that he had won. With the money he had won, he decides to buy the fur coat for his wife, and asks Miss Hayworth to accompany him to the store. Miss Singleton sees them at the store, and, misunderstanding everything, packs her bags and prepares to leave for Reno with her child. But she changes her mind, and goes back home; she finds Lake heartbroken. Everything is explained; Miss Singleton is overjoyed at receiving the fur coat. She offers to allow Lake to join the fishing club, but news comes over the radio that the club had burned down.

Richard Flournoy wrote the screen play, Frank R. Strayer directed it, and Robert Sparks produced it. In the cast are Danny Mummert, John Qualen, and others.

Suitability, Class A.

"The Road to Singapore" with Bing Crosby, Bob Hope and Dorothy Lamour

(Paramount, March 22; time, 84 min.)

This should go over very well with the masses, for it has comedy, romance, and music. The fact that the story makes little sense does not matter much, for the entertaining qualities of the picture are the gags, the songs, and the clowning on the part of Bing Crosby and of Bob Hope; the plot is incidental. Crosby and Hope are excellent as a team; they work well together—the one does not overshadow the other. There is one pretty lavish number in which Crosby and Hope attend a native feast, with native dances and songs. The romance is routine:—

Crosby, son of a millionaire shipping magnate (Charles Coburn), prefers the rough life of a sailor on a freighter with his pal (Hope) than a life of luxury and marriage to wealthy Judith Barrett. On one of his infrequent visits home, Crosby permits himself to be talked into settling down and marrying Miss Barrett; but, when three tough relatives of a girl Hope had once known try to force him (Hope) to marry the girl, the two pals decide to run out again. This time they land on a remote south sea island. While at a cafe, Hope flirts with Dorothy Lamour, a dancer. Her jealous partner tries to kill her and Hope and Crosby rescue her and take her to their shack. There she stays on as housekeeper. Being without funds, they try entertaining and selling fake soap preparations as a means of livelihood, but everything fails. Hearing that the natives were holding a feast, where food was to be given away free, they dress up as natives and attend the banquet. Native girls attempt to marry Hope and Crosby, but Miss Lamour rescues them. In the meantime, Crosby's father arrives on the island with Miss Barrett to induce Crosby to return home. Because both Crosby and Hope had fallen in love with Miss Lamour, Crosby asks her to choose between them. But she, thinking that Crosby belonged with his father, pretends to choose Hope, although she loved Crosby. Crosby leaves for home, but changes his mind. At one of the stops he gets passage back to the island, where he is greeted by his two friends with open arms. Learning, to his joy, that Miss Lamour had not married Hope, he marries her himself.

Harry Hervey wrote the story, and Don Hartman and Frank Butler, the screen play; Victor Schertzinger directed it, and Harlan Thompson produced it. In the cast are Anthony Quinn, Jerry Colonna, Johnny Arthur, and others.

Class A.

"Millionaire Playboy" with Joe Penner

(RKO, March 15; time, 64 min.)

This slapstick comedy should go over well with the Joe Penner fans and amuse even those who are not his fans; it is made up of a series of gags, some of which are so comical, that the audience is kept laughing almost throughout. One of the funniest situations is that in which Penner, while holding an outboard motor in his hands, accidentally sets it off and goes racing through the waters, unable to loosen his grip on the motor. There are other equally comical situations; although many of them are made up of old gags, they are presented so well that one cannot help laughing. There's very little to the story itself; the romance is routine:—

Penner is so girl-shy that each time a girl kisses him he gets the hiccoughs; and the only way to cure him is to frighten him each time. Determined to cure Penner of his shyness, his father (Arthur Q. Bryan) puts him in the hands of Russ Brown, with instructions that he be taken places to become accustomed to women. Brown takes Penner to a summer resort where there are many girls; but he convinces Penner that the girls were really old women who had had their faces lifted in order to look young. In that way, Penner does not show shyness. Unknown to Penner, his father's agent (Granville Bates) was trying to force Linda Hayes, the pretty owner of the resort, to sell her property. Since she had stubbornly refused to sell, Bates attempts to ruin her business by frightening away her customers. But Penner eventually learns about what was going on, and buys from the bank the notes they were holding against Miss Hayes. He then compels his father to pay Miss Hayes a good price for her property. But what really makes Penner happy is the fact that he had been cured of his shyness, for he had fallen in love with Miss Hayes, and when he kissed her he did not hiccup.

Bert Granet wrote the story, and he and Charles E. Roberts the screen play; Leslie Goodwins directed it, and Robert Sisk produced it. In the cast are Fritz Feld, Tom Kennedy, and others.

Suitability, Class A.

RKO (Radio) Pictures(By NED DEPINET, *Vice-President*)

1. RKO exhibition contract carries a 10% cancellation privilege.
2. and 3. Features may be purchased without either shorts or newsreels.
4. Score charges discontinued several years ago.

Twentieth Century-Fox(By HERMAN WOBBER, *General Manager of Distr.*)

"Let me say that we have been selling our contracts in line with the general practice of the major companies. We are not insisting upon the sale of our Short Subjects and we know of no instances where they were forced upon any exhibitor—and that also applies to our Newsreels. Naturally, we are anxious to sell them to all accounts. Score charges have been eliminated. If any exhibitor, when contracting with us, desires it, he may have the cancellation privilege as set forth in the proposed Trade Practice Code of last Spring."

This is an unsatisfactory answer, to say the least; it lacks the clarity of the other answers. The Code, as a Code, is dead, and yet he says that an exhibitor may have it, if he wants it. What is the consideration? Higher prices? Stiffer terms?

Mr. Wobber says he knows of no instances where short subjects have been forced upon any exhibitors. Here's your chance, if you should happen to be a victim of compulsion.

United Artists(By HARRY L. GOLD, *Vice-President*)

1. Each producers' product sold individually (therefore no cancellation, even from each producer's product).
2. Short subjects sold individually.
4. Score charges discontinued several years ago.

Universal(By W.M. A. SCULLY, *General Sales Manager*)

1. On sales of entire product, 10%, 15%, and 20% cancellation privilege, like that of MGM.
2. and 3. No forcing of either short subjects or of newsreels.
4. No score charges.

Vitagraph, Inc.(By CARL LESSERMAN, *Ass't to Gen. Sales Manager*)

1. On sale of entire feature-picture output, 20% cancellation privilege if the average price does not exceed \$100, and 10% if such average is \$100 or more.
2. No forcing of shorts, trailers or reissues.
4. No score charge whatever.

BOX-OFFICE PERFORMANCES**Warner Bros.****1938-39**

"Nancy Drew, Trouble Shooter": Fair-Poor.

"Naughty But Nice": Good-Fair.

"Hell's Kitchen": Good-Fair.

"Waterfront": Fair-Poor.

"Indianapolis Speedway": Fair-Poor.

"Playing with Dynamite": Fair-Poor.

Twenty-six pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 2; Very Good-Good, 4; Very Good-Fair, 1; Good, 1; Good-Fair, 7; Good-Poor, 2; Fair, 2; Fair-Poor, 7.

1939-40

"Nancy Drew and the Hidden Staircase": Fair-Poor.

"Pride of the Blue Grass": Fair-Poor.

"The Roaring Twenties": Very Good-Fair.

"Kid Nightingale": Fair-Poor.

Four pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Very Good-Fair, 1; Fair-Poor, 3.

ABRAM F. MYERS'S SPEECH AT THE OHIO EXHIBITORS' CONVENTION

The speech reproduced in these columns was made by Mr. Abram F. Myers, counsel for Allied States Association, at the Ohio exhibitors' meeting, which was held in Columbus on February 28 and 29.

Because of the importance of the questions that Mr. Myers touched upon, HARRISON'S REPORTS reproduces it in full, in two or more issues.

"Nicholas Schenck is credited with the widely quoted

epitomize to the effect that there can be no industry ill that good pictures will not cure. I have always felt that this was subject to certain qualifications, if the subsequent-run exhibitors are included in the definition of 'industry.' For example, to make the saying true, the good pictures must be made available to that class of exhibitors upon terms which they can afford to meet. However, in my most pessimistic moments I never suspected the time would come when good pictures would themselves give rise to industry ills, using 'industry' in an all-inclusive sense. Nevertheless, many subsequent-run exhibitors are suffering from good pictures—good pictures which are not available to them and which, due to extended and repeat engagements in the prior-run houses, are disrupting the normal flow of product from run to run and threaten serious product shortages in some districts.

"Every forward step by the industry brings new problems. We, all of us, remember the difficulties attending the transition from silent pictures to talking pictures. It is not remarkable, therefore, that the greatest motion picture ever made (that is my judgment as a movie-goer), virtually doubling the length of the longest features to which we are accustomed, and setting a new high in production cost, should set the industry on its ears. I am sure that you all take pride in this great achievement of the industry of which you are a part. No one could legitimately oppose the production of great motion pictures merely because they create new problems and subject some members of the industry to inconvenience. *Gone With the Wind* is too great ever to be a matter of regret.

"In addition to this masterpiece there are other pictures which either have been given or are scheduled for, extended runs. These, also, have contributed to or will aggravate the product situation.

"The problems which follow in the wake of the unusual success of *Gone With the Wind* and other productions in first-run situations call for study and perhaps for protective measures by subsequent-run exhibitors. The aggregate amount of money available for entertainment purposes is not a fixed sum. The national amusement budget is elastic, but it has limitations. And when large sums are absorbed by particular attractions, others usually experience a falling off. That is why exhibitors dislike carnivals and circuses. It is not without reason, therefore, that subsequent-run exhibitors in the cities where *Gone With the Wind* is breaking records are complaining of poor business. I noticed in a trade paper that in a certain middle western city, with which I am acquainted, *Gone With the Wind* has grossed over \$100,000 and is still going strong. That is a tremendous amount of money for a city of that size and represents a very large proportion of the average total outlay for amusements of all kinds for the period involved.

"In addition to this great 'gate' for a single picture, still other factors are to be taken into account. Tickets were put on sale two weeks in advance of the opening so that the effect undoubtedly was felt by competing first-runs and subsequent-runs before the first showing of the picture. Seventy thousand dollars (if my information regarding the terms is accurate) of the \$100,000 gross was sent out of the city in the form of film rental and hence was no longer a part of the great revolving fund on which the local theatres and all other businesses depend. It is reasonable to expect a falling off in theatre attendance for a while following the close of the picture's engagement, just as there was while the advance sale was in progress. Last but not least, I have a feeling that one who has seen so magnificent a picture as *Gone With the Wind* may, for some time thereafter, feel that even the best (much less the run of mine) of other pictures are dull by comparison.

"There is a serious question, therefore, whether when the books for the year are closed they will show an aggregate gain for the industry as a whole, despite the tremendous earnings of this marvelous picture. A great deal may depend upon how the rest of the product holds up. Due to the congestion in the first-runs, we do not know how many of the pictures being given rave notices in the trade and lay press will be received in the neighborhoods. I know that pictures of a certain class may, by high pressure methods, be put over in the first-runs which will not stand a chance thereafter. Among the current offerings on Broadway are the following: A picture featuring a feeble-minded character, the shooting of a dog, the murder of a girl and the shooting of the murderer by his pal. Many will say this is a narrow minded way to describe so great an artistic achievement as *Of Mice and Men*. But I am sure I have summed it up as it will be regarded by the children, young folks and family parties that make up the bulk of the audiences in most subsequent-run theatres.

(To be concluded next week)

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ANY WONDER THAT WALTER WANGER IS AGAINST THE NEELY BILL?

As you will see from the review that is printed in the inside pages of this issue, "House Across the Bay" is not an entertaining picture; as a matter of fact, its tone and mood are unpleasant.

In the forecast of the story of this picture, which appeared in the June 17, 1939, issue of HARRISON'S REPORTS, the following was said of this story's possibilities:

"Comment: There is confusion of loyalties in this story. Can the spectator feel sympathy with a woman who will make such a blunder as to send her husband to jail for ten years, even though her motive was, from her own point of view, worthy? Even if one would condone her act, the fact that she fell in love with somebody else afterwards is enough to deprive her of what little sympathy she could get. The husband is an unsympathetic character all the way through, and in the end he commits murder and, in addition, takes his own life. The lawyer is a scoundrel. The only person who seems to be satisfactory is the cabaret owner. But his part is inconsequential."

"Forecast: The story, unless the characterizations and the plot are altered, cannot make a good picture. As far as the box-office performance is concerned, it will depend to some extent on the popularity of the male lead."

The story was altered somewhat; the hero does not take his life by his own hand, as it happened in the story, although the manner by which he dies is not very far from suicide—he invites shooting, the producer's idea undoubtedly being to avoid a suicide, even though he, in so doing, glorified a racketeer. But, despite the alterations, the picture failed to turn out entertaining.

As far as the box-office results are concerned, the picture may draw fairly good, and in some theatres even good, crowds, because of the stars, but that will not make the picture entertaining in any event.

Since Walter Wanger has been producing moving pictures for years, you should think that he would have become proficient in what everybody considers the most important requirement in this business—ability to tell a good from a bad story, for without such an ability production efforts are either wasted or bring few returns.

If you should think that this is an isolated instance and his error should be overlooked, let us look at some other instances. The following forecast was made of his "Winter Carnival" in the June 10, 1939, issue of HARRISON'S REPORTS—long before production of the picture had begun:

"Comment: The main characteristics of this story are youthfulness and fast action. So far as human interest is concerned, there is very little of it. The only situation where the emotions of sympathy are stirred is where a son finds out that his father was on WPA relief and, realizing how much he was sacrificing to get him a college education, tells his father that he was going to quit college."

The picture turned out exactly as predicted, so far as quality is concerned.

Let us take another of his pictures released this season, not forecast in HARRISON'S REPORTS. The following is part of what was said of "Slightly Honorable" in the January 13 issue:

"This murder mystery melodrama offers such a hodge-podge of nonsense that even the most ardent followers of stories of this type will fail to be entertained. The story is so mixed up that it is difficult for one to follow the action. Even the dialogue, which is made-up mostly of slang expressions and of wise-cracks, seems muddled...."

If you have seen the picture, or if you have already shown it to your patrons, you know how accurate is this review.

Why shouldn't Walter Wanger be against the Neely Bill? If this Bill becomes a law, he will be compelled to furnish each exhibitor, before sale, a synopsis giving him an opportunity to know what kind of picture he was buying, with the result that Wanger will have few sales for such pictures as "House Across the Bay," "Winter Carnival," "Slightly Honorable," "Eternally Yours," "Fifty-Second Street," "I Met My Love Again," "Blockade," "Trade Winds," "You Only Live Once," "Private Worlds" (which unfolded in an insane asylum mostly), and even for such a beautifully and artistically produced picture as "Vogues of 1938," the story of which was boresome.

You may say, "Why pick on Walter Wanger when there are many others in Hollywood like him?" The reason for it is that he has taken a prominent part in Hollywood against the Neely Bill. He has made some people believe that the Neely Bill has censorship features in it, although such is not the case, and that under it he and other producers will not be able to make "Experimental Pictures," such as "Of Mice and Men," "Grapes of Wrath," "Blockade" and the like.

Walter Wanger should stop worrying about experimental pictures and devote his energies towards either picking out good stories from the bad stories before starting production, or learning how to pick them out, so that he might be able to make good pictures consistently and not disappoint his customers with such pictures as "Slightly Honorable," "House Across the Bay" and others of similar pattern.

I wonder whether I can impress even the doubting Thomases among the exhibitors that the Neely Bill, if it should become law, will prove most beneficial, not only to the exhibitors, but also to the weak-sister producers, for when the exhibitors refuse to buy pictures that are about to be produced, because the stories indicate that there is no hope for them, such producers will not put those stories into pictures, with the result that they will avoid inevitable losses. Under the present system, you have nothing to say as to what pictures should be produced. Don't you think, then, that you should have some voice in the matter when you are going to buy them?

Don't let any producer make you believe that the Neely Bill will destroy anything: progress does not destroy; it builds! And the Neely Bill is progress!

NEW MISINFORMATION ON THE NEELY BILL

According to a Southern exhibitor, subscriber to HARRISON'S REPORTS, some film salesmen in his territory are telling the exhibitors that, under the Neely Bill, the distributor must set the same price on each of the pictures of a group he may offer for sale, regardless of quality or of star value. In other words, if he has five pictures to sell at a total of \$250, he must set a \$50 price on each of them.

It is hardly necessary for this paper to say that this interpretation of the Neely Bill is deliberately false. Just to make the matter clear enough to enable you to confound the peddlers of such misinformation, let me quote the part of the Bill that deals with prices: I am stripping it of the explanatory repetitious words:

"Sec. 3. (1) It shall be unlawful for any distributor . . . to lease . . . films in a block or group of two or more films and to require the exhibitor to lease all such films or permit him to lease none; or to lease . . . films in a block or group of two or more at an aggregate price for the entire block or group and at separate and several prices for separate and

(Continued on last page)

"My Son! My Son!" with Madeleine Carroll, Brian Aherne, Louis Hayward, Laraine Day
(United Artists-Edward Small, March 22; 117 min.)

A fine production. There is human interest all the way through. One is in deep sympathy with Brian Aherne, as the hero, because he is a fine character; and despises Louis Hayward, the son, for being unworthy of so fine a father as Aherne. Henry Hull, as the friend of the hero, does good work, and so does Bruce Lester, as Hull's son. The interest is kept alive all the way through. The atmosphere is realistic. The story has been altered considerably; instead of showing Oliver (Louis Hayward) as having killed Rory (Bruce Lester), it is shown that Oliver had lost his life in the trenches in France, and that nothing had happened to Rory. The author who wrote the treatment was confronted with a difficult task by reason of the fact that the book presents the hero's son as a worthless character; but he did a fine alteration job—he succeeded in awakening some sympathy for the worthless son in the end:—

Aherne and Hull, chums, are separated when Hull marries. Shortly afterwards Aherne, too, marries—the daughter (Josephine Hutchinson) of a baker, with whom he had become acquainted accidentally. Aherne writes books and gains great fame. Hull has a son, and shortly afterwards Aherne, too, has one. But Aherne was unhappy because his wife turned out to be narrow-minded, and a religious fanatic. While visiting a coal mine he had inherited from his father, Aherne meets Madeleine Carroll, an artist, and after a short companionship they fall in love with each other. But Aherne tells her that he had no right to make love to her, and parts from her pleading that they should not meet again. Neither knew the other's identity. Josephine is killed in an accident and Aherne in vain searches for the woman he loved, until he gives a reception in honor of Hull's grown-up daughter, who had just starred in a play that he had written for her and had been acclaimed as a fine artist; then he meets her—she had been brought to his home by his son, who was in love with her. At first Aherne is joyful, but when he learns from his son that Madeleine was the woman he loved his joy changes into sadness, in spite of the fact that Madeleine had assured him that his son had meant nothing to her. Aherne and Hayward break, and Hayward leaves home. Laraine Day, daughter of Hull, in an effort to patch up the differences between father and son, visits Hayward. One visit leads to another and Hayward seduces her. War breaks out and Hayward and Lester are sent to the front as officers. Laraine is about to become a mother and when Aherne learns that it was his son's doing offers to marry her, but she takes poison and dies. Aherne goes to the front as a war correspondent and meets his son at the regimental headquarters. But the father tells him that he would have gone one hundred miles out of his way not to have met him. Lester, who had been on a leave to London, returns and is about to shoot and kill Hayward for the death of his sister when Aherne intervenes and stops him from committing the murder, reminding him of his obligation to his father and mother. The regiment is about to go to the trenches when Hayward, realizing what a dirty life he had led, calls on his father and begs his forgiveness. He dies a hero. Aherne marries Madeleine.

The plot has been founded on Howard Spring's best seller. Lenore Coffee wrote the screen play; Charles Vidor directed it.

Class A.

"Strange Cargo" with Clark Gable and Joan Crawford
(MGM, March 1; time, 113 min.)

With two box-office names such as Clark Gable and Joan Crawford, this melodrama may do good business. But it is doubtful if the followers of these two stars will be pleased with it, for neither one plays an appealing part, and the story is set against a rather sordid background, in which both players are seen almost throughout in a dirty, unkempt condition. The excitement that the plot offers is of the harrowing type, for the characters go through considerable suffering and privation, resulting in deaths. The story, however, has a deep religious note: in the company of the escaped convicts is a strangely mystical character, who influences the several characters to become regenerated, so that even those who go to their death do so feeling that they had seen the light. The romance between Gable and Miss Crawford supplies the only light touch, but even that has its complications and unhappy moments:—

The story deals with a group of convicts who had escaped from Devil's Island. They are a pretty bad lot, with the exception of one member of the group who was different from the rest. No one seemed to know anything about him; he affected the men strangely, for he seemed to be able to

predict accurately everything that would happen to them. Gable, one of the convicts, and the most incorrigible member of the group, shows contempt for Hunter's religious theories. He is tough and ruthless, even with Miss Crawford, an entertainer, who had joined Gable after being ousted from the town where she had been working. Being without funds, she had preferred to take her chances with the criminals rather than accept the intimacy and money offered by Peter Lorre, a vicious character. They finally reach a boat that had been prepared for them by friends and set sail. But their suffering is intensified, for the windless days and nights made it impossible for them to move and their food and water gave out. Those who survived finally reach land and obtain aid from a fisherman. But Lorre finds Miss Crawford and follows her to the shack; she promises to go away with him on condition that he would not give Gable away. But Gable, thinking that she had double-crossed him, denounces her and, together with Hunter, sets out for the fisherman's boat. Because of a terrific storm, they are unable to start. Hunter tries to argue with him, pleading with him to go back to Miss Crawford, but Gable, annoyed, throws him overboard. Watching him struggle, he suddenly realizes the god-like qualities of the man and rescues him; he then becomes regenerated. He stops Miss Crawford from going away with Lorre, and gives himself up to the authorities, so as to finish his term; Miss Crawford promises to wait for him.

The plot was taken from the novel "Not Too Narrow, Not Too Deep" by Richard Sale. Laurence Hazard wrote the screen play, Frank Borzage directed it, and Joseph L. Mankiewicz produced it. In the cast are Paul Lukas, Ian Hunter, Albert Dekker, J. Edward Bromberg, Eduardo Ciannelli, and John Arledge.

Not for children. Suitable for adolescents and adults. Class B.

"The House Across the Bay" with George Raft, Joan Bennett and Walter Pidgeon

(United Artists, March 1; time, 86 min.)

This drama has two strikes against it—one, an artificial plot, and the other, slow-moving action. The production and technical values are good—the sets are lavish and Miss Bennett wears beautiful clothes. But the story is unbelievable and even unpleasant. For instance, the idea of having a wife double-cross her husband, even though her actions were motivated by good intentions, should prove displeasing to most spectators. Moreover, whatever sympathy one might have felt for her is lost when she falls in love with another man. As a matter of fact, the only character for whom one feels any sympathy is the husband himself, for he is the only one who shows real loyalty:—

George Raft, owner of a night club, falls madly in love with Joan Bennett, one of his entertainers, and marries her. He lavishes luxuries on her, and for three years they lead a joyous life. Because Raft had become ambitious and wanted to spread out into other fields, he incurs the enmity of a racketeer. An attempt is made to kill Raft and Miss Bennett is frightened; but Raft refuses to take the matter seriously. Miss Bennett asks Lloyd Nolan, Raft's lawyer, what would happen if the government should bring an action against Raft for income tax evasion, and Nolan tells her that the most Raft could get would be a one-year sentence. Thinking only of protecting him by having him in prison for one year, Miss Bennett sends the income tax department the information they needed to prosecute Raft, who does not suspect anything. But Nolan, who wanted Miss Bennett himself, double-crossing Raft, handles the case inefficiently and Raft receives a ten-year sentence at Alcatraz Prison. Miss Bennett is heartbroken; she visits Raft whenever possible, assuring him of her love. Accidentally she becomes acquainted with Walter Pidgeon, aeroplane designer, and, although she falls in love with him, she tells him it is hopeless. In the meantime, Nolan tries to force his attentions on her; but she repulses him. Angry, he goes to Raft and tells him what Miss Bennett had done. Raft breaks out of prison, and goes after Miss Bennett with the intention of killing her. But she tells him the truth, and Pidgeon confirms what she had said. Raft leaves them, goes to Nolan and kills him. Realizing now that the future held nothing for him, he purposely puts himself in the way of the prison guards, who were looking for him, and is shot and killed by them. Miss Bennett marries Pidgeon.

Myles Connolly wrote the story, and Kathryn Scola, the screen play; Archie Mayo directed it, and Walter Wanger produced it. In the cast are Gladys George, June Knight, Peggy Shannon, and others.

Unsuitable for children and adolescents. Adult fare. Class B.

**"The Ghost Comes Home" with
Frank Morgan, Billie Burke
and Ann Rutherford**

(MGM, March 8; time, 79 min.)

This pleasant little program comedy should entertain the family trade. The story is thin; but it has several amusing situations that provoke hearty laughter, and the action, for the most part, keeps one chuckling. To most spectators the satisfying part of the story will be that which shows timid Frank Morgan, who had been "bossed" by every one in the family, finally asserting himself. There is a pleasant romance:—

Morgan, small-town owner of a pet shop, is henpecked by his wife (Billie Burke) and "bossed" by her two brothers (Nat Pendleton and Frank Albertson). The only one who understands him is his young daughter (Ann Rutherford). Morgan receives a telephone call from Australia from an old school friend who had become very wealthy; this friend was making out his will and wanted to leave his home-town \$500,000; but first he wanted to discuss the matter with Morgan and orders him to visit him, promising to make all arrangements. Morgan is cheered by his neighbors. He finally gets to New York and to the boat, but finding that he had a few hours before sailing time, decides to look up a young man (John Shelton), leader of an orchestra, who had once played in his home town. While at the cafe he becomes intoxicated; and one of the girls steals all his money. Not being able to pay his check, he is arrested and sentenced to sixty days in jail. By the time he is released, he learns that his Australian friend had died without leaving any money to the town. He is afraid to go home, but Shelton insists on taking him back. Once home complications arise: the ship on which he was supposed to have sailed had sunk and his family, thinking that he had died, had collected an insurance policy. Since they had spent most of the money and could not pay it back, they compel Morgan to hide in the attic. But he orders them to obey all his wishes, threatening otherwise to make a public appearance. Things are finally settled, when Shelton fools the town's rich man (Donald Meek) into buying a lot owned by Morgan, which nets Morgan enough money to repay the insurance company. Shelton and Miss Rutherford fall in love with each other.

The plot was adapted from a play by Georg Kaiser; Richard Maibaum and Harry Ruskin wrote the screen play, William Thiele directed it, and Albert E. Levoy produced it. In the cast are Reginald Owen and Harold Huber.

Suitability, Class A.

**"Outside the Three-Mile Limit" with
Jack Holt and Harry Carey**

(Columbia, March 7; time, 63 min.)

A moderately entertaining program melodrama, suitable mostly for action fans. It is doubtful if women patrons will take more than a mild interest in it, for the romance is of minor importance and there is no comedy; moreover, the story is far-fetched. But men may enjoy it, for there are several fights. The encounter between the hero and the villain towards the end is exciting. The performances are, for the most part, superior to the material:—

Jack Holt, a federal agent, obtains a position as floor manager on a gambling ship, his purpose being to uncover a gang of counterfeiters who were operating from the ship; his government connections were, of course, unknown to the men on the ship, including the owner (Eduardo Ciannelli). Dick Purcell, another federal agent, posing as one of the patrons, attempts to search Ciannelli's safe for evidence; but Ciannelli happens along at the time, and, mistaking him for a hijacker, kills him and dumps his body into the ocean. Ordering Holt to get all the customers off the boat, he gives instructions to the Captain (Harry Carey) to set sail for Central America. Carey suggests that they go to a remote island where a friend of his had a home and his suggestion is followed. Once there, Holt realizes that the "friend" (Sig Rumann), a former gangster, was in reality the head of the counterfeiting gang, and that Carey and the other members of the crew were working for him. Holt realizes then that Ciannelli and Donald Briggs, a newspaper reporter, who had posed as a drunken gambler and had purposely stayed aboard when the ship had set sail, were in danger. Briggs becomes acquainted with Irene Ware, a newspaper reporter, who had been assigned to write a story about Rumann's supposed reform, and tells her about their predicament. She gets word to the authorities, who arrive in time to round up the gang.

Eric Taylor and Albert DeMond wrote the story, and Albert DeMond, the screen play; Lewis D. Collins directed it, and Larry Darnour produced it.

Not for children. Class B.

**"Zanzibar" with Lola Lane
and James Craig**

(Universal, March 8; time, 69 min.)

A fair program jungle melodrama. Such action-loving fans as are not too particular about story values may enjoy it, for there is plentiful excitement and fast-moving action throughout. Although many of the animal and tribal scenes are obviously stock shots, most spectators will be unaware of this; they should be thrilled by the animal fights, and by encounters between the men and the animals. Further cause for excitement are the closing scenes, in which the white folk are captured by the natives, who planned to torture and kill them. The romance is incidental:—

Lola Lane, explorer, is asked by a representative of the British government to try to find the sacred skull of Nogoru, which symbolized control over the superstitious natives of East Africa. Members of her party include Tom Fadden, expert guide, James Craig, a wealthy American who was in search of adventure, and the crew. Unknown to her, Eduardo Ciannelli, who had signed on as a sailor, was a representative of a foreign government that was eager to obtain possession of the skull. Ciannelli kills the Captain, who knew who he was. A storm breaks out and the ship is wrecked. Miss Lane, Craig, Fadden, Ciannelli, and Henry Victor, who was working with Ciannelli, together with two natives, make shore. They are compelled to go through jungles in order to get to the village, where the natives knew Miss Lane. The two natives in the party are killed by lions. The others finally reach the village. Ciannelli, who knew what Miss Lane was after, sets the chief against her. In order to divert suspicion from her, she goes out on an animal hunt. But when she makes an attempt to take the skull from the temple she is captured. Craig and Fadden risk their lives in order to save her. They free the animals and set fire to the village, thus scaring the natives away. The three then make their escape on a raft, and go back to the temple, where they find Ciannelli and Victor. A fight ensues; suddenly there is a volcanic eruption. Ciannelli and Victor are killed. But the other three escape, with the prized skull in their possession. Craig and Miss Lane fall in love.

Maurice Tombragel and Maurice Wright wrote the original screen play, and Harold Schuster directed it. Robert C. Fischer, Clarence Muse, Samuel Hinds, and Ray Mala are in the cast.

Suitability, Class A.

"They Came By Night" with Will Fyffe

(20th Century-Fox, February 23; time, 73½ min.)

This British-made melodrama, although well-acted, is just fair program entertainment. The story is somewhat involved; moreover, the accents are a drawback for average American audiences. Even though the story is far-fetched, it may appeal to such crook-melodrama followers as are not too particular about story details, for the action is at times pretty exciting. This is so particularly in the closing scenes, where the hero outwits the crooks. A romance and some comedy are worked into the plot:—

Will Fyffe, a London jeweler, receives a visit from a Scotland Yard sergeant (Anthony Hulme), who felt that Fyffe could be of great help in aiding the police to trace the manufacturer of a jewel that had been substituted for the famous Taj Ruby at an auction sale. While Fyffe was conferring with the police, his brother, who was his partner, kills himself. Fyffe is shocked, for he knew of no reason for the deed. He comforts his brother's two children. Fyffe opens a package that had been addressed to his brother. It contained a box of tobacco. When he finds in the tobacco the missing ruby he realizes that his brother had been mixed up with the crooks, and decides to clear up the matter for himself, without consulting the police. The crooks, thinking that Fyffe had cut up the ruby and sold it, demand that he turn over the receipts to them, which he does. They insist that he take over his brother's place in disposing of stolen jewels for them. Fyffe discovers that the gang planned to carry out a big gold robbery. He learns all about the wiring signal through a friend who had installed it. Compelled to join the crooks on the job, Fyffe manages to cross the wires, thereby setting off the alarm. The police arrive in time to round up the crooks. Fyffe then informs Hulme that the genuine ruby was safe, for, during their conference, he had switched jewels, giving the original to the police and retaining the copy for himself. Fyffe's nice plans to marry Hulme.

The plot was adapted from a play by Barre Lyndon; Sidney Gilliat and Michael Pertwee wrote the screen play, Harry Lachman directed it, and Edward Black produced it. In the cast are Phyllis Calvert, George Merritt, and others.

Not for children. Suitable for adolescents and adults. Class B.

several films . . . , which aggregate price and separate and several prices shall bear to each other such relation (a) as to operate as an unreasonable restraint upon the freedom of an exhibitor to select . . . only such film or films out of such block or group as he may desire . . . , or (b) as tends to require an exhibitor to lease such entire block or group or forego the lease of any number or numbers thereof . . . ”

Putting the meaning of this provision of the Bill in everyday language, it means that the distributor will not be able to tell the exhibitor: “The price of the five features I am offering you is \$250, but if you want only one of the five, it is \$200.” A demand of this kind would make the price for the one picture so out of proportion to the aggregate price of the five pictures as to “operate as an unreasonable restraint upon the freedom of an exhibitor to select” the film he wants, compelling him to buy all the five.

Under the Neely Bill, the price of each film may be different from the price of any other film in the group which the exhibitor will wish to buy, or it may be the same. The original price will naturally be set by the distributor, the owner of the films, and the exhibitor may accept or reject it. Bargaining is not going to be done away with; it will go on just as it goes on now.

I understand that some of those of you who have endorsed the Neely Bill and are fighting for its enactment are still in some doubt as to whether the elimination of block-booking will be a good thing for you or not. If this is true, let me call to your attention one major producer who not only believes that the elimination of block-booking is good for the industry, but practices it most vigorously. I am referring to Mr. David Selznick, producer of “Gone With the Wind.” When I was on the Coast about four years ago, he told me personally, and asked me to convey the information to you, that his films are sold individually; that is, if an exhibitor wanted to buy only one picture of those he would produce in a given season, he was not compelled to buy any other picture. This policy has been repeated to me by his New York office at least twice since. Now, why does this producer oppose block-booking? Because he has confidence in his own ability to produce meritorious pictures. He knows that a producer will make the exhibitors beat a path to his workshop if he should produce better “mouse traps,” and he produces them.

And please use this argument whenever a salesman, or anybody else, for that matter, tries to make you believe that the elimination of full-line forcing is bad for you: The man who has produced the greatest money-making picture in the history of the business is he who has been selling his pictures individually—Dave Selznick. Follow his lead; you will not go wrong!

PICTURES NOW IN PRODUCTION

Columbia

“THE MAN WHO WOULD NOT DIE,” with Boris Karloff. Undoubtedly horror melodrama.

“OFFENDERS OF THE LAW,” with Jack Holt, Marian Marsh, Robert Barrat and others, produced by Larry Darmour. Undoubtedly a double-bill melodrama, dealing with gangsters.

MGM

“PRIDE AND PREJUDICE,” with Greer Garson, Laurence Olivier, Mary Boland, Maureen O’Sullivan, Ann Rutherford, Heather Angel, Marsha Hunt, Bruce Lester, Karen Morley, Frieda Inescort, Halliwell Hobbs, Edna May Oliver and others, produced by Hunt Stromberg, and directed by Robert Z. Leonard. The plot has been founded on the stage play by Helen Jerome, who adapted it from the Jane Austen novel. The story revolves around five sisters, an English country gentleman’s daughters, who were seeking matrimony. Miss Jerome altered the characterizations of the sisters somewhat, making them more pleasurable than they are in the book. There is much comedy in the play, and considerable human interest. Undoubtedly the Stromberg-Leonard combination will make a first-rate comedy-drama out of it.

“THE MORTAL STORM,” with Margaret Sullavan, James Stewart, Robert Young, Frank Morgan, Bonita Granville, Judith Anderson, Irene Rich, Maria Ouspenskaya, and others, produced by Sidney Franklin, and directed by Frank Borzage. It is the Phyllis Bottome deeply moving novel of racial persecution in Germany after Hitler’s accession to power. The story is so powerful that the picture will not leave an eye dry. Mr. Borzage is a fine director; one of the many outstanding pictures he directed has been “Seventh Heaven,” with Winfield Sheehan as a producer; and since the cast is fine, the picture should turn out excellent, with fine results at the box office.

“TWENTY-MULE TEAM,” with Wallace Beery, Leo Carrillo, Noah Beery, Jr., Ann Baxter, Marjorie Rambeau, Arthur Hohl and others, produced by J. Walter Ruben and directed by Richard Thorpe. It is a rough western story, unfolding in Death Valley, and dealing with an attempt to find a rich borax lode, samples of which had been found on a miner who had died of thirst. There are some murders, and considerable drinking. But whatever the story is, it is much better than that of Beery’s last picture. This picture’s box-office performance will depend largely on Beery’s box-office strength.

(To be continued next week)

ABRAM F. MYERS’S SPEECH AT THE OHIO EXHIBITORS’ CONVENTION

This speech was made by Mr. Abram F. Myers, general counsel of Allied States Association, at the Ohio exhibitors’ convention, in Columbus, on February 28 and 29.

(Continued from last week)

“The Grapes of Wrath is another highly controversial picture, although so aggressive is the Steinbeck cult that it is worth one’s life to hint that it is less than perfect. The tragedy of the migration of the Okies to California and their inhospitable reception by that Commonwealth is a terrible story that needed to be told. No human being could read the book without being profoundly moved, despite its unnecessary and revolting obscenities. But I pose the question: Is it entertainment? If it is not, I doubt if there will be enough students of sociology among your patrons to make the picture a success. Another highly touted picture has received much favorable comment because it is bold enough to come right out and mention a loathsome disease which heretofore has not been mentionable in polite society. Maybe it is a highly entertaining picture (I have not seen it), but unless it is your patrons will not storm your doors merely to hear some actor utter the word ‘syphilis.’ [‘Dr. Ehrlich’s Magic Bullet.’]

“I could proceed in this vein at some length. *Northwest Passage*, to which I have looked forward with great eagerness, because of my love for the book, is most disappointing. I fear that other readers will be equally disappointed. In the first place it covers only the first part of the book and consequently has nothing to do with the attempted discovery of the Northwest passage. Spencer Tracy, who has played so many sympathetic characters (*San Francisco*, *Captains Courageous*, *Boys’ Town*), in his portrayal of Major Rogers, is made to appear quite brutal in his disregard for the sufferings of his men. I fear that Tracy fans, especially the feminine contingent, will not like it.

“Thus while the trade paper headlines are brimful of optimism, it is possible that the industry, or a large part of it, may be in a very bad way. Not only may much of the product prove disappointing, but it may reach the subsequent-runs too late for them to make the best use of it. If *Gone With the Wind* continues on its merry way, and extended first-runs continue to be the fashion, the picture you were hoping to mop up with during Easter week may reach you in the middle of July. I don’t like to be a ghost at a banquet, I would prefer to echo the headlines and assure you that you only need to hold out your hat so that it may be filled with gold. But viewing the situation as I do, I can only warn you that there are breakers ahead and that you should be figuring on ways and means of saving your own skins.

“A very real danger that confronts you is that, inspired by the success of *Gone With the Wind*, distributors may try to use the same distribution methods and demand the same terms for other less meritorious pictures. *Snow White* set the precedent for 50% deals and now *Pinocchio* follows in the groove. *Pinocchio* is not based on as familiar a story, feature length cartoons are no longer a novelty, and reports indicate that it does not possess the same charm as its predecessor. Now it is equally certain that no other picture, current or in contemplation, can compare with *Gone With the Wind* and great expectations based on its phenomenal success will be dashed to the ground, if like terms are demanded for less meritorious pictures. Indeed, the earnings of the industry as a whole, certainly of the subsequent-run exhibitors as a class, do not warrant any increase in current price levels. In fact, I am confident that a survey made at the close of the present season will show that decreases in film rental will be necessary so far as most of the subsequent-runs are concerned. The neighborhood house should be and eventually will become the principal revenue producers of the industry, but to fulfill their destiny they must have a constant flow of suitable product that is not old enough to have whiskers.

(To be concluded next week)

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ARGUMENTS THAT CONVICT

In discussing the propaganda that is carried on by the opponents of the Neely Bill in a recent issue of HARRISON'S REPORTS, I said that you need invent no arguments of your own to shatter the arguments of the opponents; all you have to do is use the arguments of the producers themselves.

Harry Goldberg, director of Advertising and Publicity of Warner Bros. Theatres, has put out an eight-page pamphlet in an effort to prove that there is no compulsory block-booking, and that the Bill, being a measure that has been proposed by some exhibitors to be used as a club against their competitors, as he says, will work a great hardship on the industry if it were to become a law.

I can say this about Goldberg's pamphlet—it is dignified; it does not resort to low insinuations, and does not call the proponents of the Bill names. But the arguments he employs, though at first glance they seem logical, and for that reason impressive, are in reality the best arguments the proponents of the Bill could employ to prove their case.

In one place he asks the following question: "What is 'compulsory block booking?'" and answers it as follows:

"'Compulsory block booking' is a phrase invented to describe something which does not exist. It implies that theatres are compelled to buy all of a producing company's product. It is true that the producer tries to sell as much of his product as he can to a customer. But the figures prove that not all the exhibitors buy all of a producing company's pictures. . . ."

As far as we are concerned, we need no arguments to convince one another that Mr. Goldberg is not giving accurate information, for we all know that, unless special conditions exist in a given territory, such as, splitting the product between competitors (just to mention one condition), in which case the producer obtains for his product greater revenue, an exhibitor must buy a producer's entire product if he hopes to obtain any of that distributor's product at all. But because we are trying to convince, not ourselves, but persons who are not connected with the motion picture industry and who are not acquainted with the sales policies that are in force, it is necessary that we take Mr. Goldberg's arguments apart.

One of the other questions Mr. Goldberg asks is the following:

"If compulsory block-booking doesn't actually exist—what are the practices that permit exhibitors to buy less than the complete output of a company?"

Mr. Goldberg would certainly have made an excellent lawyer if he had chosen the legal profession instead of becoming a publicity man, for he takes it for granted that his arguments have been accepted as true, and then proceeds to prove other points of his. This method of attacking a problem works well when there is no one to prove "to the jury" that his arguments are specious.

Notice that, in his first question, he says that compulsory block-booking does not exist, and yet he proceeds to show how an exhibitor frees himself from the clutches of compulsory block-booking. That is what "what are the practices that permit exhibitors to buy less than the complete output of a company?" means to any rational person.

Let us now examine the conditions under which the exhibitor can, according to his theory, buy less than a producer's complete output.

"(a) The 10% cancellation clause." By this provision, he says, the exhibitor is allowed to cancel one picture out of each ten pictures. But Mr. Goldberg has failed to mention one little detail, a detail that changes the complexion of the provision—the exhibitor must buy the producer's entire output before he may acquire the right to cancel one out of each ten pictures he has bought.

Now, then, the exhibitor's obligation to play forty-five pictures out of fifty is not, according to Goldberg's logic, block-booking! Oh, no! It is, according to his reasoning, freedom to select pictures! And he has made such a statement in print!

The second condition is: "(b) Selective contracts by which exhibitors buy 40 out of 50, etc."

I don't know what his "etc." means. But let us confine ourselves to his direct statement. Now, the requirement that an exhibitor must buy at least forty pictures out of a distributor's entire output consisting of fifty pictures is not, according to his logic, block-booking! Oh, no! It is freedom of selection! That is producer logic!

"(c) Cancellation by mutual agreement—by bargaining and trading." In other words, the distributor says to the exhibitor: "Buy my entire product now, and if at the end of the season you should find that some of our pictures cannot be fitted into your requirements, maybe I can cancel some of them." Maybe! And yet Mr. Goldberg says that this method is not compulsory block-booking! That, too, is producer logic!

To those who are not familiar with the procedure usual in such cases, let me explain what happens: an exhibitor is compelled to buy a producer's entire output. If at the end of the season he finds himself with many "duds" on his hands, he goes to the producer and pleads with him to cancel them. Sometimes the distributor refuses to cancel them, but sometimes he does cancel them, provided the exhibitor agrees to buy that distributor's pictures for the ensuing season. And yet Mr. Goldberg uses cancellations of this nature to convince the unwary that there is no compulsory block-booking, when, in reality, they represent compulsory block-booking practiced with vengeance.

As a fourth condition, Mr. Goldberg gives the following: "(d) In many cases by merely refusing to play it, and 'washing it out' in some way." This refers to the small percentage of cases in which the exhibitor, when he finds himself at the end of a picture season with many "duds" on his hands, tells the producer: "I won't play them! And what are you going to do about it? Sue me? Go ahead!" And because frequently the cost of a lawsuit is much greater than the amount of money involved, he refrains from suing. In other words, the producer compels the exhibitor to become a contract-breaker, because the pictures did not come up to the promises given to him by the producer in the beginning of the season, and the exhibitor feels that he is not under any moral obligation to play them. And yet Mr. Goldberg says that this is a proof that there is no compulsory block-booking!

Oh, yes! He has still another argument to prove that there is no compulsory block-booking. He says that figures submitted to the Senate Committee on the actual business done for the 1937-38 season show a wide range of choice. "20th Century-Fox releases show that the number of contracts played range from 12,214—'Old Chicago'—down to 3,581—'Dinner at Ritz.'" But Mr. Goldberg forgot just one little detail: he failed to mention the fact that the Fox contract contains a ten percent cancellation provision, which makes such a difference possible. As a matter of fact, the difference should have been greater: it should have been possible for him to show that a given poor picture had been canceled by all the contract holders, because, with the ten percent cancellation clause in the contract, every theatre owner holding such a contract has the right to cancel it. The fact that not all these exhibitors canceled it indicates that there are some localities where the exhibitors are so short of product that they have to run everything that they can lay their hands on. But Mr. Goldberg, on the strength of this difference in play-dates, says that there is no compulsory block-booking!

(To be concluded next week)

"House of Seven Gables" with Margaret Lindsay, Vincent Price and George Sanders

(Universal, April 12; time, 88 min.)

This is very good program entertainment. The story, which has been based on the famous novel by Nathaniel Hawthorne, is not a happy one, for it deals with avarice and blighted love. Yet it does not sadden the spectator because in the end the villain pays for his misdeeds and the lovers are reunited. Universal has given the picture a good production, setting forth realistically the small New England town of the nineteenth century, and bringing out vividly the bigotry of the people of that day. The performances are particularly good. One is in deep sympathy with the heroine, whose loyalty towards the hero finally results in happiness for both of them:—

Gilbert Emery, owner of the House of Seven Gables, and his son (George Sanders) quarrel with Vincent Price, the other son, because of his insistence that the house be sold. Although on the verge of bankruptcy, brought about by their own misdeeds, Emery and Sanders insisted that family tradition made it impossible to sell the house. Sanders was interested only in the legend that somewhere in the walls of the house was hidden a deed to a million acres of rich land, and to a half million dollars in gold. During a quarrel between Price and his father, the father suffers an attack of paralysis and hemorrhage, striking his head on the desk as he falls; he dies. Sanders brands Price a murderer. Although innocent, Price is arrested, tried, and sentenced to life imprisonment. This brings sorrow to his fiancee (Margaret Lindsay). When Emery's will is read, Sanders is shocked to learn that Miss Lindsay had inherited the house. She orders him out, after which she closes all the shutters, and for years thereafter lives in the dark house, alone and embittered. But she is cheered a little when a young cousin (Nan Grey) arrives to live with her. They open a small shop in one corner of the house. Her sole boarder (Dick Foran) falls in love with Miss Grey. After twenty years, Price is released and returns home. With Foran's aid, he leads Sanders to believe that he had discovered the whereabouts of the hidden fortune. Sanders demands that he turn over the house, threatening otherwise to send Price to an insane asylum. But Price demands that Sanders sign a confession clearing him. While they were discussing the matter, a man from whom Sanders had stolen money enters and kills himself; Price brands Sanders a murderer. Fearful of what might happen to him, Sanders signs the confession and then dies in the same way his father had died. The two couples are married.

Lester Cole wrote the screen play, Joe May directed it, and Burt Kelly produced it. In the cast are Cecil Kellaway, Miles Mander, and others.

Suitability, Class A.

"Primrose Path" with Ginger Rogers and Joel McCrea

(RKO, March 22; time, 92 min.)

This is no entertainment for the masses. The background is sordid, and the story and characterizations are extremely unpleasant; moreover, Ginger Rogers appears in a part that is so completely unsuited to her talents, that it should prove extremely disappointing to her followers. How many persons are interested in a family in which it is obvious that the grandmother had once been a prostitute, her daughter, mother of two children, was practicing the same "trade," and the daughter's husband was a hopeless drunkard? The character of the grandmother is particularly disgusting, for not only is she vicious but completely immoral. For instance, she is irked at the idea that her granddaughter (Miss Rogers) wanted to marry an honest young man, preferring to see her choose the life of a prostitute, for she felt that she could do better for herself that way. Although the word itself is not used, it is obvious to one what it is all about. One brazen situation is that which shows Miss Rogers joining a friend of her mother's, also a prostitute, who had arranged for her to meet a man to go out with him. There is some comedy, but it is of the "cheap" kind, for it is made up entirely of wisecracks. Except for the romance between Miss Rogers and McCrea, there is little that is wholesome or pleasant:—

Miss Rogers and her family lived in a shack. Her father (Miles Mander) was a drunkard, and her mother (Marjorie Rambeau) supported the family by going out with men and selling herself to them. Miss Rogers steers clear of men, much to the disgust of her grandmother (Queenie

Vassar), who felt that such an attitude was a disgrace. But when Miss Rogers meets McCrea, a wise-cracking young restaurant owner, she falls in love with him. She leads him to believe that her parents were very strict, and that she had run away from home. He marries her, and they are extremely happy. But he eventually finds out about her family, and is enraged that he had been so fooled by Miss Rogers; he leaves her, and she goes back to her family. Her father, while in a drunken rage, shoots Miss Rambeau fatally; the burden of support then falls on Miss Rogers, but she is unable to find work. McCrea, who repented having left Miss Rogers, calls to see her, but the grandmother leads him to believe that she had gone away with some man. Miss Rogers, not knowing about the call, and desperate because of the family's need for money, decides to follow in her mother's footsteps. But before going off with her gentleman-friend, she insists on visiting McCrea so as to insult him. Unknown to her, the man she was with, realizing that the two young people loved each other, arranges for McCrea to follow them. Miss Rogers is overjoyed when McCrea stops the car and takes her out. He goes with her to the shack, where he confronts the grandmother and Miss Rogers' young sister, and warns them, in strict terms, that it would be he who would manage the family affairs, and that they were to obey his orders; they quietly agree.

The plot was adapted from the play by Robert L. Buchner and Walter Hart; Allan Scott and Gregory LaCava wrote the screen play, and Gregory LaCava directed and produced it. In the cast are Henry Travers, Joan Carol and Carmen Morales.

Unsuitable for children and adolescents. Adult fare. Class B.

"Black Friday" with Boris Karloff, Bela Lugosi, Stanley Ridges and Anne Nagel

(Universal, March 29; time, 69 min.)

This horror melodrama is strong fare; it should certainly satisfy those who go in for spine-chilling entertainment. But many picture-goers, particularly women, may find it a little too horrendous, for the spectacle of a kind man, who had been turned into a murderer by a brain transplantation, committing several murders is somewhat sickening. The story is, of course, extremely fantastic; yet it holds one in suspense, since the leading characters are in constant danger. Stanley Ridges, who plays the man with the dual personality, handles the part effectively:—

Ridges, a kindly college professor, is the innocent victim of a gun battle between criminals; he is taken to the hospital at which his intimate friend (Boris Karloff) was leading surgeon. Karloff feels that there was little hope to save Ridges' life; but an idea suddenly strikes him. The gangster for whom the shots had been intended was also a patient at the hospital; he was seriously wounded and there was no chance for his recovery. Karloff decides to try a delicate operation in line with experiments he had made; he transplants the gunman's brain into the professor's head. The professor recovers, but the gunman dies. Karloff watches him carefully, for signs of reaction. Having heard that the gunman had hidden a fortune some place, Karloff is eager to get the money so as to carry on his research work. He takes the professor to New York with him, registers at the hotel where the gunman had hidden out, and even takes the same suite he had lived in, so as to see if the gunman's brain would remember things. Karloff is able to control Ridges' personality without his being aware of it. And so the professor takes on the personality of the gangster, and the transplanted part of the brain alone works. He kills all the men who had double-crossed the gunman, and even kills the gunman's sweetheart when he learns that she was in with the double-crossers. He then takes the money from the hiding place, at the same time killing Lugosi, rival gangster-leader. But by the time he returns to the hotel, the personality of the professor had returned, and Karloff finds it easy to take the money away from him. Karloff then returns with the professor to their small home town. But the strain had been too much for the professor, and the personality of the gunman asserts itself. Karloff is then compelled to kill his friend. He is arrested, tried, and sentenced to death.

Kurt Siodmak and Eric Taylor wrote the screen play, Arthur Lubin directed it, and Burt Kelly produced it. In the cast are Ann Gwynne, Virginia Brissac, Edmund Mac-Donald, and others.

Unsuitable for children and adolescents. Adult fare. Class B.

"Dr. Cyclops" with Albert Dekker*(Paramount, April 12; time, 75 min.)*

Trick photography is the main asset of this fantastic melodrama. In 1936 MGM released "The Devil Doll," a picture that employed an idea similar to the one employed in this picture—that of shrinking human beings to the size of dolls. Those who saw the Metro picture will find only mild entertainment in "Dr. Cyclops," because for them it will lack novelty. Moreover, "The Devil Doll" had some human interest and a fairly substantial story, but this has a trite plot, and is slow. It should, however, prove intriguing to those who did not see the Metro picture, mainly because of the good technical work. The technicolor photography adds little to the picture's entertainment value:—

Albert Dekker, a scientist working in the South American jungles, discovers a means by which, through the use of a radioactive mineral, he could shrink animals and human beings to the size of one foot, at the same time keeping their physical and mental attributes intact; the discovery turns him into a madman. A party of four, including three scientists (one a woman), who had arrived to help Dekker not knowing what work he was involved in, are enraged when, after some slight assistance in microscopic work which he was unable to do because of failing eyesight, he orders them to leave. But they discover the pitchblende from which the radium was extracted and refuse to leave. He lures them into his laboratory and locks them in it. He then sets his machinery working, shrinking them to a tiny size. Helpless, they wander about, terrified of chickens and a cat that were bigger than they were. They devise ways and means of escaping. But Dekker, upon examining one member of the party, finds that his experiment had gone wrong in that his victim showed signs of growing back to normal size; thereupon he kills the man, and plans to kill also the others later. But they manage to elude him. In a desperate effort to capture them, he falls into a pit and is killed. Restored to their natural size, the remaining members of the party return to civilization.

Tom Kilpatrick wrote the original screen play, Ernest Schoedsack directed it, and Dale Van Every produced it. In the cast are Janice Logan, Thomas Coley, Charles Halton, Victor Kilian, and others.

Children may be frightened. Suitable for adolescents and adults. Class B.

"The Human Monster" with Bela Lugosi*(Monogram, March 9; time, 75 min.)*

A fair British-made horror melodrama. It may, however, shock people with delicate nerves, for it is pretty strong "stuff"; but the followers of this type of entertainment may be thrilled, even though the story is far-fetched. The situations that show an ape-like blind man and the villain drowning their victims are so terrifying that one gets a sickening feeling. The closing scenes, in which the heroine's life is endangered, are extremely exciting and tensely suspenseful. Most audiences will be interested in the methods employed by Scotland Yard in solving the crimes:

Hugh Williams, a Scotland Yard inspector, is harrassed by his chief because of his inability to solve mysterious drownings in his district. Williams' investigations lead him to Bela Lugosi, head of an insurance company that had insured the different victims, but, although suspicious of Lugosi, he is unable to pin anything on him. Enlisting the aid of Greta Gynt, a young girl whose father had been murdered in a similar manner, he asks her to accept Lugosi's offer to help her by obtaining for her a position in a home for the blind, in which he had taken a personal interest. Miss Gynt becomes secretary to the blind head of the institution, and comes upon information that leads her to believe that the institution was in some way mixed up in the murder of her father. Lugosi, who knew that Miss Gynt had found the evidence, instructs an ape-like blind man, over whom he had complete power, to kill her; but Williams arrives in time to save her life. Williams gets all the information he needed to prove that Lugosi was a murderer, his purpose having been to collect on forged insurance policies he had taken out for his victims. Miss Gynt is horrified when she finds out that the head of the institution for whom she worked was really Lugosi, who had assumed the disguise so as to carry out the murders from the institution and avoid detection. Both Lugosi and his monster-slave are killed. With the case solved, Williams turns his attentions to Miss Gynt.

Edgar Wallace wrote the story, and Patrick Kirwin, Walter Summers, and J. F. Argyle, the screen play. Walter Summers directed it, and John Argyle produced it. In the cast are Edmon Ryan, Wilfred Walter, and others.

Too frightening for children and adolescents. Adult fare. Class B.

"Three Cheers for the Irish" with**Thomas Mitchell, Priscilla Lane****and Dennis Morgan***(First National, March 16; time, 100 min.)*

This sentimental human interest comedy-drama is good program entertainment. Although the story is thin, lacking novelty in treatment, the characterizations and performances are extremely appealing, and so one's interest is held well. Moreover, there is plentiful comedy, of the down-to-earth variety, the kind that keeps one chuckling almost throughout. Alan Hale, as an unruly Irishman who enjoyed a good fight, provokes hearty laughter. The picture should not be restricted in its appeal to Irish folk alone, even though most of the characters are Irish, for the comedy is broad enough to prove entertaining to all classes, and the romance is pleasant:—

Thomas Mitchell, an Irishman, who had been on the police force for twenty-five years, feels that the time had come for his promotion. To his sorrow, instead of receiving a promotion, he is retired on a pension. The day he is to leave, he is instructed to show Dennis Morgan, a young policeman of Scotch descent, who was to take his place, the routine duties of the job. That irks him, first, because Morgan was taking his place, and secondly, because of his antipathy for a Scotchman. Mitchell's three daughters (Priscilla Lane, Irene Hervey, and Virginia Grey) sympathize with him; but this does not help him, for he does not know what to do with his spare time. A brilliant idea strikes the family—why not have Mitchell run for alderman, since his record was clean and everybody liked him? Friends and family join in the campaign work. In the meantime, Miss Lane and Morgan meet and fall in love with each other. Knowing of her father's hatred for Morgan, Miss Lane marries him secretly. When Mitchell finds this out, he orders her to leave his home. To add to his sorrows, he learns that Miss Hervey had accepted money for the campaign fund from a racketeer. Unwilling to win an election in that way, he goes around asking everyone not to vote for him. But he is elected just the same. Reconciliation between Mitchell and the young married couple follows when Mitchell is told that Miss Lane was in the hospital awaiting the birth of her baby. He is overjoyed when she gives birth to twins.

Richard Macaulay and Jerry Wald wrote the original screen play, Lloyd Bacon directed it, and Hal Wallis produced it, with Samuel Bischoff as associate producer. In the cast are William Lundigan, Henry Armetta, Frank Jenks, and others.

Suitability, Class A.

"Too Many Husbands" with Jean Arthur, Fred MacMurray and Melvyn Douglas*(Columbia, March 21; time, 84 min.)*

Columbia has given this sophisticated comedy an extremely lavish production; the beautiful clothes Jean Arthur wears should delight women. And the performances are excellent. But as entertainment, it will probably appeal more to the class audiences than to the masses. The first thirty minutes are the best, for during that time one is highly amused by the turn of events; these provoke hearty laughter. But, thereafter, the action becomes somewhat wearisome, and does not pick up again until the closing scenes. Occasionally the dialogue is suggestive; as a matter of fact, the plot is, on the whole, sexy. It never, however, becomes vulgar, because of the charm of the performances and the competent direction:—

Jean Arthur is shocked when she hears that Fred MacMurray, her first husband, who was supposed to have drowned, was alive, for she was now married to his partner (Melvyn Douglas). MacMurray is enraged when he hears about the second marriage; he insists on living in the same house with the couple so as to try to win back his wife. Complications arise; Miss Arthur finds it impossible to choose between the two men, for she loved them both. Eventually the question is settled by the courts, which decide that MacMurray was her legal husband. Douglas does not give up in despair, for he felt that MacMurray might wander away some day and then he would become Miss Arthur's husband again. And so he keeps on going out with them.

The plot was adapted from the play by W. Somerset Maugham. Claude Binyon wrote the screen play, and Wesley Ruggles directed and produced it. In the cast are Dorothy Peterson, Melville Cooper, Harry Davenport, and others.

It is doubtful if children will understand the sex implications; suitability, therefore, Class A.

ABRAM F. MYERS'S SPEECH AT THE OHIO EXHIBITORS' CONVENTION

This speech was made by Mr. Abram F. Myers, general counsel of Allied States Association, at the Ohio exhibitors' convention, in Columbus, on February 28 and 29.

(Concluded from last week)

"I know that you will want to hear something about the follow-up on the action taken by the Board of Directors last month. Copies of the resolutions relating to arbitration, the growing use of 16 mm. film for public exhibitions, and stars on the air were transmitted to the chief executives of the eight major companies. These executives were informed in an accompanying letter that Allied would be glad to supply the background for, or other information concerning, the positions taken in the resolutions. It was hoped that this would lead to a discussion of the subjects dealt with, especially arbitration. The forthright Sidney R. Kent promptly replied that he was and always had been in favor of arbitration; that both he and his company were opposed to issuing their product on 16 mm. and did not do so; and that he and his studio were opposed to stars on the air, except under special circumstances, and sought to discourage the practices, but that it could only be eliminated by some sort of industry agreement which he feared would be illegal.

"We received notes from the secretaries to Messrs. Nicholas Schenck and George J. Schaefer, saying those gentlemen were out of town and that our letter would be called to their attention when they returned.

"Information as to our action crept out in New York and one of the trade papers has indicated that the company chiefs might hold a conference on the subject later. I hope that there was some basis for that story. Allied has favored the settlement of major issues by means of fair arbitration ever since its first proposals to the producers away back in November, 1929. It seems a pity this could not have been accomplished long ago. I have been a student of trade relations in many industries. As a Government officer and otherwise I have aided in setting up machinery for the adjustment of internal difficulties in a number of industries. Only with respect to this industry have my efforts been wholly unavailing. In this industry, the only time we came really close to our goal, the exhibitors were asked to give a receipt in full for the adjustment of all grievances when many were not even touched upon and others only imperfectly and in the most equivocal terms.

"The subjects covered by these resolutions are such that progress can be made only by and with the cooperation and assistance of the major companies, their subsidiaries and affiliates. We all hope that this cooperation will be forthcoming. Whatever is done along this line should be done in the open and in consultation with the Allied leaders. Very little goes on in this industry that escapes the attention of those who are alert to protect their own interests. Any behind the scenes effort to set up arbitration machinery or to agree upon so-called fair trade practices, in lieu of the full measure of relief that the exhibitors hope to obtain by pending measures, without consultation with or reference to the independent exhibitors affected thereby, will be opposed. But I am a little tired of opposing things that are not right; I much prefer supporting measures that I believe in. While I do not suppose my preferences will have much influence with those who have the power to act, I am confident that many will share my view as to the desirability of a fair arbitration system to ease the strains of conflict within the industry. Unreasonable clearance, arbitrary allocation of pictures, over-buying, oppressive exercise of chain buying power, withholding of product—all these call for amicable adjustment within the industry, now. The larger issues may not be finally settled for a number of years: in the meantime, Rome is burning.

"I have talked to you about the Neely Bill on a number of occasions and no good purpose would be served by repeating the familiar arguments. My main concern about the bill now has to do with the methods being employed to defeat it. They not only are villainously unfair but they are doing irreparable harm to the good will of the industry. Undoubtedly you have seen the leaflet being distributed by certain affiliated circuit theatres which are not themselves subject to compulsory block booking. These leaflets depict the supporters of the bill (that is, the public groups) as three traditional blue nose reformers or prohibitionists labeled 'Snoop,' 'Sneak' and 'Snatch.' You can imagine the effect of this piece of effrontery on the thousands of earnest, intelligent men and women who are supporting the bill. Copies have been distributed to the leaders of the pro-Neely groups. While I take some comfort from the fact that it is inspiring them to even greater efforts in behalf of the legislation, I can not help but deplore the assininity of

those in charge of the public relations of the producer-distributors who, in order to gain a temporary advantage as to only one of the industry's problems, have gone in for mass insult.

"However, the public groups are abundantly able to take care of themselves, as they have shown on many occasions. Impositions on the credulity of independent exhibitors in remote regions who are denied the advice of experienced leaders, are a matter of concern. Recently I received a letter from an exhibitor in a western state in which he took Allied to task for supporting the Neely Bill. He said that a film salesman had told him that if the bill is passed, all pictures will be distributed as *Gone With the Wind* has been, at 70%, with increased admissions. That, he assured me, will put every small town exhibitor out of business and he said that Allied should stop protecting the big boys and give some thought to the little fellows. I replied by pointing out that under present conditions the distributors were free to sell pictures as specials and to roadshow pictures whenever it was to their advantage; and I asked him how he could be worse off under the Neely Bill when certainly the distributors would follow a like course only when it was to their advantage.

"Another anxious inquiry coming in from the rural regions is this: 'I am in competition with such and such a chain. It has much greater buying power than I have. At present I am getting some of the minor products, but I am told that under the Neely Bill the chain will be able to skim the cream from these and leave me virtually nothing.' What these men overlook is that the chains today are taking the 'cream of the crop' each year by virtue of their buying power and that their rivals exist solely by sufferance. If you have read the complaints in the Government cases against the Big Eight and the Schine, Griffith and Crescent Circuits you will know that in virtually all situations where the chains operate today they have first choice of all the product. Whatever product is available to independents competing in the same run is by sufferance of the chains. This is a matter of record. So it is very hard to see how the independent could be worse off under the bill. On the contrary, he will have the opportunity, for the first time, to do a little cream skimming for himself, especially if, as now seems likely, all buying is made on a local basis and chain buying power is neutralized.

"Don't forget that the curbing of chain buying power is the paramount effort behind all the Government's efforts. It is the main purpose of all the pending prosecutions. I am as sure as I am that I stand here that this attempt will be successful in a very substantial degree. I feel confident that the Big Eight today would gladly submit to any curb on chain buying power, which admittedly has been abused, if they could be permitted to retain their theatres. With chain buying curbed, and with all buying localized so that there will be no more master contracts written in New York, and with the Neely Bill in effect (the one supplements the other) the independent exhibitor will be free to prosper or fail depending upon his own ability, energy and showmanship. He will not be beholden to the chain for leaving him a few dregs in the cup or a supplicant at the exchange door for a crust in the form of an adjustment. Thus will the American system of free enterprise be vindicated."

PICTURES NOW IN PRODUCTION

(Continued from last week)

Metro-Goldwyn-Mayer

"*SUSAN AND GOD*," with Joan Crawford, Fredric March, Rita Quigley, Ruth Hussey, Nigel Bruce, Bruce Cabot, Constance Collier, Norma Mitchel and others, produced by Hunt Stromberg and directed by George Cukor. The plot has been founded on Rachel Crothers' stage play, which played to 288 performances in New York. It is a society drama, with much sex in it. The heroine is a self-centered and frivolous woman, and the hero, husband of the heroine, an unstable man, having affairs with other women. Other characters, too, have sex relationships. There is also a touch of religion, but in a frivolous vein—the heroine pretends to have espoused God, and when caught at it by her husband she had to carry on the pretense. No doubt, these scenes, as well as the sex relationships, will be handled delicately, and since the story is much better than the story of "*Letty Lynton*," it should make as good a success at the box office, and even better.

"*ANDY HARDY MEETS A DEBUTANTE*," with Mickey Rooney, Lewis Stone, Fay Holden, Cecilia Parker, Ann Rutherford, Sara Haden, Judy Garland and Diana Lewis, directed by George B. Seitz. The name of Mickey Rooney alone is sufficient to draw big crowds, but MGM has had the good sense of supplying him with excellent stories. It should prove a sure bet.

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ARGUMENTS THAT CONVICT

(Continued from last week)

This editorial continues the discussion on Harry Goldberg's assertions that there is no compulsory block-booking.

After giving the four conditions under which an exhibitor may cancel some pictures, presenting these conditions with the object of disproving the existence of compulsory block-booking, a theory which this paper shattered to pieces last week, Mr. Goldberg asks the following question:

"Are these practices of less-than-block-booking confined to theatres owned by producers?" and answers it as follows:

"There are less [fewer] than 2500 producer-owned theatres in the United States. Since the number of contracts in the above figures varies from 12,000 to 845, it is obvious that the practice of buying less than the complete block or product is not confined to producer-owned theatres, but is general throughout the industry."

The difference between an affiliated exhibitor and an independent is this: When it comes to cancelling such pictures as "Alcatraz," "The Last Gangster" and the like, he is up against a stone wall. Such pictures are sold, as a rule, on a percentage basis and the independent exhibitor would have to mortgage his theatre, himself and his family to escape the obligation of playing such pictures. But what is the case with the affiliated exhibitors? Let us look at Page 108, of the government's petition against the major companies, in the equity case now pending before the District Court for the Southern New York District. The paragraph under "Optional Contracts" reads as follows:

"In dealing with each other, the defendants, or some of them, as producers and others of them as exhibitors frequently enter into contracts whereby the exhibitor is given the right and privilege to play certain specified feature photoplays, but without assuming any binding obligation to do so. This, in form, is a selective contract and provides for the exhibitor a wider selection of pictures without obligation to take them. Such benefits are seldom, if ever, extended to independent exhibitors."

In other words, the affiliated exhibitor can cancel unwanted pictures without any formality or trouble, whereas the independent exhibitor, whenever he cancels a picture, he must cancel it either under his ten per cent cancellation provision, or under the 40-pictures-out-of-50 contract, or refuse to play it thus breaking his contract, or "washing it out" by agreeing to contract for the ensuing season's product. If the independent exhibitors could have the same privileges in cancelling pictures as have the affiliated exhibitors, perhaps the number of exhibitors who play gangster and sex pictures would not be so great.

But why do the producers make this type of pictures if they are so solicitous about the industry's welfare, blaming the independent exhibitors for playing them?

There is at least one thing to Mr. Goldberg's credit: he did not try to whitewash the affiliated exhibitors and blacken the others; he presented them all as being imbued with the same motives: to book only such pictures as will make them money.

If it is bad for exhibitors to shelve good pictures, preferring to show demoralizing pictures, giving as an excuse the block-booking system, why not let the Neely Bill become a law and put every exhibitor on his honor? If the independent exhibitor had the right to buy only such pictures as the people of his community wanted to see and he insisted upon booking demoralizing pictures, then his patrons would know whom to blame. Certainly there will be no hardship on the producers, if the Neely Bill became a law, since every one of them and of those who are fighting the Bill are attempting to prove to Congress that there is no compulsory

block-booking in existence; under such circumstances, the Neely Bill would not affect the existing sale system, except in one particular—the requirement that the distributor submit to the exhibitor a synopsis of the story upon which the picture will be founded, before he attempts to sell it to the exhibitor. Such a requirement could under no stretch of imagination be considered unreasonable, for it is nothing more than the submission of specifications covering the article that is to be delivered. The law requires that every manufacturer deliver the article as specified; why shouldn't the motion picture industry be subject to a similar law? What is wrong with such a law?

Again let me say that Mr. Goldberg's method of presenting arguments against the Neely Bill is refreshing, in that he did not resort to small contemptible insinuations as others have done; he presented his arguments in a dignified way. We cannot help it that his arguments are hollow; no one can sustain a wrong position, no matter how clever are his arguments and how dignified is the manner of their presentation.

WHEN TRADE REFORMS ARE NOT REFORMS!

In the March 9 issue I published the answers of the producers to the query of P. J. Wood, business manager of Independent Theatre Owners of Ohio, as to their attitude on (1) cancellations, (2) whether shorts, newsreels and trailers are forced with features, and (3) whether score charge is still made or not.

Each producer defined its position in the matter, the answers being to the effect that reforms covering the subjects of these questions had been put into force. Credit was given to Mr. Wood for having clarified these questions.

From the type of letters that have been written to me by exhibitors, giving their version of the exact status of affairs, the credit Mr. Wood deserves should be, not for making the major distributors commit themselves, but for showing them up, because these reforms, contrary to the statements of the home offices, are in many instances disregarded entirely by the sales forces in the field.

From the number of letters that I have received, I am selecting one; it comes from Los Angeles, and says:

"Dear Mr. Harrison:

"I have read Pete Wood's bulletin giving the answers of the major companies to his questionnaire on the trade reforms, and my attention was struck by the statement of Mr. Herman Wobber, general sales manager of Twentieth Century-Fox, which reads:

"We are not insisting upon the sale of our short subjects and we know of no instance where they were forced upon any exhibitors—and that applies also to our News Reels."

"If such is the case, it is evident that Los Angeles does not belong to the Union, and Mr. Dillon, the local branch manager of this company, has never heard of any such instruction as Mr. Wobber implies. On the contrary, many exhibitors in this territory, including ourselves, have been forced to buy their short subjects and their news reels; we were told that, unless we did so, our contracts would not be approved. We were told that the code is a 'lot of baloney,' and many exhibitors were defied to get a deal without shorts and news reels. If we did buy them without these shorts and news reels, the price of them would be added to the cost of the features.

"I know of one case where an exhibitor tried to buy from a Fox salesman the features without the shorts. When Dillon heard about it he said that he would teach that exhibitor to attempt to buy features without shorts. And up went the prices to that exhibitor.

(Continued on last page)

"The Courageous Dr. Christian"
with Jean Hersholt

(RKO, April 5; time, 65 min.)

This second picture in the "Dr. Christian" series is, like the first one, a fairly entertaining program picture about a noble country doctor whose energies are expended in efforts to help the community at large, particularly the underprivileged. It has some human interest, and holds one in fair suspense. But it may prove depressing to many spectators, for the second half is somewhat somber, dealing with an epidemic of spinal meningitis amongst a group of poverty-stricken squatters. There is some comedy, which results from the efforts of a spinster to marry the doctor, and also by the pranks played by two mischievous children. The romance is incidental:—

Jean Hersholt, a respected country doctor, tries to interest the town leaders in building suitable quarters for a group of squatters, who were living under pitiful conditions on swamp land. But the leaders are completely disinterested. One man suggests that, if Hersholt could induce a certain wealthy spinster to donate the land, they would build a house. Hersholt is successful in obtaining the deed, and arranges to go ahead with the building plans, even though by accepting the deed it meant he would have to marry the spinster, which he heartily disliked to do. But at the last moment the town leaders refuse to build. Led by Tom Neal, who was one of them, the squatters move all their belongings to the lot. Just as the police are ready to force them off, Hersholt orders them not to touch anything, for an epidemic of spinal meningitis had broken out amongst the squatters. The people of the town, conscience-stricken, offer their help and supplies. After a few weeks, the epidemic is controlled and all the patients recover. The town council agrees to build adequate quarters. Hersholt is happy when the spinster tells him that she had decided not to marry, but, instead, to devote all her time to two orphaned squatter children she was planning to adopt.

Ring Lardner, Jr. and Ian H. Hunter wrote the screen play, Bernard Vorhaus directed it, and Stephens-Lang Co. produced it. In the cast are Dorothy Lovett, Robert Baldwin, Maude Eburne, Vera Lewis, and others.

Suitability, Class A.

"It's a Date" with Deanna Durbin, Kay Francis and Walter Pidgeon

(Universal, March 22; time, 102 min.)

Very good. The production is extremely lavish, and the story offers comedy and human interest, as well as romance and music. Most of the laughter is provoked by the misunderstandings that arise because of Deanna's vivid imagination and her attempts to appear grown-up. The part she plays might have been a little irksome had any one else played it, for it requires her to make somewhat of a nuisance of herself; but she endows it with such charm that one is constantly in sympathy with her and is amused by everything she does. She is given very good support by a competent cast:—

Deanna, daughter of Kay Francis, a famous actress, tries in vain to induce her mother's producer-friends to give her a part in a Broadway play. She insists that Samuel Hinds, her mother's personal director and producer, pay a visit to the summer theatre where she was acting with a group of young people. He arrives with S. Z. Sakall, author of a new play in which Miss Francis was to star, his purpose being to try out one of the acts so as to discover its flaws. Deanna plays the leading part so well that Sakall and Hinds decide that she, and not her mother, who was really too old for the part, should play it. Without telling her that her mother, who was vacationing in Honolulu, was studying the part, Hinds offers it to her; she is overjoyed. Unknown to Hinds, she sails for Honolulu to be with her mother, who, she felt, could coach her. While on the boat, she studies, repeating her lines out loud; she attracts the attention of wealthy Walter Pidgeon, who, not knowing that she was just speaking lines from a play, takes it for granted that she was suffering because of a broken romance. In order to distract her attention, he pretends that he was a stowaway; but she finds out about the trick and is angry; she gets over it and they become friends. She imagines he is madly in love with her. Once in Honolulu, she introduces him to her

mother, telling her mother he wanted to marry her. Her mother is surprised, feeling that he was much too old for Deanna; moreover she herself was attracted to him. When Deanna learns that her mother had been studying the part, she decides not to do it, for she knew the truth would hurt her mother. Instead, she decides to marry Pidgeon, who never had any such intentions. As a matter of fact, Pidgeon was in love with Miss Francis. After many complications, Pidgeon proposes to Miss Francis and is accepted by her; she plans to retire from the stage. Miss Durbin pretends to be heartbroken. But she is able to appear in the play, without her mother finding out the truth.

Jane Hall, Frederick Kohner, and Ralph Block wrote the story, and Norman Krasna, the screen play; William Seiter directed it, and Joe Pasternak produced it. In the cast are Lewis Howard, Cissie Loftus, Virginia Brissac, and others.

Class A.

"Virginia City" with Errol Flynn and Miriam Hopkins

(Warner Bros., March 23; time, 121 min.)

Whatever business this picture will do, it will depend entirely on the drawing powers of the cast, which is formidable, and on the sensational publicity that the Warner publicity department has given it, and the exploitation that it has done for it, for, as far as the picture itself is concerned, it is just a big glorified western, with its usual thrills and its human interest. The value of the picture may be enhanced by the fact that the story is, according to the Warner Bros. publicity department, authentic. In other words, the incidents depicted actually happened. But the authenticity of these incidents does not add a bit to the picture's actual dramatic or melodramatic value. The interest is held because of the fact that the hero had been given by President Lincoln an assignment which he is determined to carry out. In his efforts, he is followed by the good wishes of such spectators as live north of the Mason and Dixon line, for the story unfolds during the civil war and has to do with the thwarting of the plans of the confederate army. There is a pretty interesting romance:—

In the last days of the Civil War, Errol Flynn, a Union Intelligence officer, escapes from a confederate prison and reaches Washington with considerable information of value. President Lincoln gives him an assignment to prevent delivery of a \$5,000,000 shipment of gold bar, which was to be shipped by wealthy Confederate sympathizers from Virginia City, Nevada, to the rebel President so as to save the Southern cause from collapse. Flynn promises the President to carry out his orders, and takes along his two pals, Alan Hale and "Big Boy" Williams. In the stage on their way west they travel with Miriam Hopkins, a rabid sympathizer of the rebels; she was the one who had induced the wealthy miners to make to the South the gold bar gift. Among the co-travellers was also Humphrey Bogart, a famous outlaw. Before reaching the city, Bogart holds them up; but Flynn outwits him, compelling him to order his men, who had been following the stage and had been waiting for Bogart's signal, not only not to shoot, but to go back. On the way, Bogart escapes. Flynn falls in love with Miriam, but, although she, too, fell in love with him, she refuses to encourage him, because she feared lest he interfere with her plans. In Nevada City, Flynn enters a famous saloon and gambling place and sees Miriam performing on the stage. At first he is shocked. Soon Flynn discovers the place where the gold shipment was made ready for the trip, but he is tricked and held captive by Randolph Scott, a rebel officer in charge of the expedition, and in love with Miriam. But Flynn eventually succeeds, at the risk of his life, in stopping the shipment. He had arrived just in time, for Bogart had attacked the caravan with a view to stealing the gold. The Civil War is over, but Flynn refuses to divulge the place where he had hidden the gold, because he felt that it belonged to the people of the South, by whom it ought to be used for reconstruction work. He is court-martialed, convicted, and sentenced to be shot. But Miriam, by calling on the President, secures his pardon.

The plot has been founded on an original story by Robert Buckner. Michael Curtiz directed it. Frank McHugh and others are in the cast.

Class A.

"A Bill of Divorcement" with Maureen O'Hara, Adolphe Menjou and Fay Bainter

(RKO, April 12; running time, 74 min.)

The last time this story was produced, in 1932, it turned out a sombre but powerful entertainment. And the present version is no different, for it follows the plot closely. It may not draw as well at the box-office as the last one did, since it is, after all, a remake. Moreover present-day audiences may feel that the theme, which revolves around insanity, is too disheartening. Aside from the depressing feature of the story, it is, in other respects, very good; the performances, direction, and settings are excellent. One is deeply touched by the tragedy that befalls the heroine, who sacrifices her chances of happiness when she learns of the hereditary insanity in her family. All the leading characters win one's sympathy:—

A week before Fay Bainter was to marry Herbert Marshall, she hears that her husband (Adolphe Menjou), who had been confined to an insane asylum for twenty years and from whom she had obtained a divorce, had run away from the asylum, presumably cured. His arrival at the house upsets every one, including his daughter (Maureen O'Hara), whom he had never seen. She was engaged to a young man (Patric Knowles), with whom she was desperately in love. Having been led to believe that her father had become insane from shell-shock during the war, she had gone about with her plans for her marriage. But a chance remark by her aunt (Dame May Whitty), who lived with them, makes her realize that insanity was hereditary in her father's family; she is shocked. Menjou insists that Miss Bainter stay with him; in a weak moment she agrees to this, and asks Marshall to leave. But Miss O'Hara insists that her mother try to find some happiness in her life, promising to take care of Menjou. Miss Bainter goes away with Marshall. Miss O'Hara breaks her engagement to Knowles, telling him of the circumstances that had made her change her mind. They part in sorrow. She comforts her father, assuring him that she would never leave him.

The plot was adapted from the play by Clemence Dane; Dalton Trumbo wrote the screen play, John Farrow directed it, and Robert Sisk produced it. In the cast are C. Aubrey Smith, Ernest Cossart, Kathryn Collier and Lauri Beatty.

Too depressing for children, otherwise suitable for all. Suitability from a moral standpoint, Class A.

"Viva Cisco Kid" with Cesar Romero and Jean Rogers

(20th Century-Fox, April 12; time, 70 min.)

This second picture in the "Cisco Kid" series is not as good as the first one; it may, however, entertain the average Western fan, for it has fighting, horseback riding, and the usual melodramatic ending in which the hero outwits the crooks. The main fault of the picture is the fact that there is an overabundance of dialogue, which slows up the action; it is only towards the end that the action is really exciting:

Cesar Romero and his pal (Chris Pin Martin) are, as usual, evading the law. While on their travels, they stop bandits from holding up a stage-coach. Romero wins the thanks of the passengers, but he is interested only in what Jean Rogers, one of the passengers, thinks of him. He rides back to town with the stage and then escorts Miss Rogers to her father's home. Unknown to both Miss Rogers and Romero, Miss Rogers' father (Minor Watson) was connected with the gang. Since the gang had been foiled in its attempts to get the money from the stage-coach, Watson steals the money from the express office. But some one had seen him do this. Two members of the gang kill the witness, and then place the blame on Romero. Miss Rogers, having found out about her father's connection with the gang, attempts to clear Romero, but the two killers prevent her from doing so, and take her to the hideout of the leader (Stanley Fields). Watson, sorry for the life he had been leading, enlists Romero's aid in saving his daughter. Romero and Martin, posing as bandits, call on Fields, pretending to want to join the gang. Romero remarks that he had killed Watson and taken the money from him; he turns it over to Fields, but Martin steals it right back again. Fields' men find Watson alive; they bring him to the hideout, where they confront Romero. Fields orders his men to place Romero, Martin, Watson, and Miss Rogers in a mine, and to close it

in, thereby preventing their escape and causing their death. But there is a mine cave-in which kills Fields and his men; the others escape. Watson decides to return the money and to give himself up. Miss Rogers is happy at his regeneration. She and Romero bid each other good-bye.

Samuel G. Engel and Hal Long wrote the screen play, Norman Foster directed it, and Sol M. Wurtzel produced it. In the cast are Nigel DeBrulier and others.

Not for children. Suitable for adolescents and adults. Class B.

"Shooting High" with Jane Withers, Gene Autry and Marjorie Weaver

(20th Century-Fox, April 26; time, 64 min.)

This will have to depend entirely on the popularity of Jane Withers and Gene Autry for box-office success. The picture itself offers just ordinary entertainment; it is not the type of western the Autry fans may expect, nor the type of comedy that gives Jane the opportunity to display her talents. The story is trite, lacking in action and novelty of plot development. The only bit of excitement that it offers comes in the closing scenes, when Autry prevents a gang of bank robbers from getting away with their loot. There are a few songs and a romance:—

Jane idolizes Autry, whose grandfather had been a famous Western character. She is eager to see her sister (Marjorie Weaver) marry Autry, but a feud existed between the two families. One day, her father (Frank Thomas) gives his consent to the marriage. But Autry soon learns that Thomas had a selfish motive in mind; his intention was to have Autry sell him some valuable property he owned, after which he would withdraw his consent to the marriage; then the feuding starts all over again. It quiets down for a time when a motion picture company decides to use the town as a location for the production of a picture revolving around the life of Autry's grandfather. Jane becomes incensed when her sister shows an interest in the leading man (Robert Lowery). Jane and her pal (Hobart Cavanaugh) scare Lowery out of town. The director puts Autry in Lowery's place, and to everyone's surprise he does very well. But Miss Weaver is unhappy because the leading lady (Katharine Aldridge) was paying too much attention to Autry. One of the scenes of the picture called for a bank holdup. Unknown to everyone, real robbers take the place of the actors and actually hold up the bank. Autry goes after them and brings them back; he is cheered as a hero. He and Miss Weaver finally patch up their quarrels and plan to marry.

Lou Breslow and Owen Francis wrote the screen play, Alfred E. Green directed it, and John Stone produced it.

Suitability, Class A.

"Ma! He's Making Eyes at Me!" with Tom Brown, Constance Moore and Anne Nagel

(Universal, March 15; time, 61 min.)

It is a mildly entertaining program picture, but comparing this with the demoralizing gangster melodramas other companies are producing one would undoubtedly stand in favor of the Universal picture; at least an exhibitor will not have a guilty conscience about showing it. There are some human interest situations, and some that provoke a little laughter. And it is somewhat glamorous.

It is a story in which the hero, instead of falling head-over-heels in love with the pretty heroine, whom he meets accidentally, tries to make her marry some other young man, as a publicity stunt for a fashionable establishment; just before the marriage ceremony he wakes up to realize that he loved her, just as she loved him, and, when the other young man refuses to give her up out of mercenary motives, the young hero knocks him out, rushes on the stage, and gives the minister the order to marry him to the heroine. Wedding ceremonies unite two other couples at the same time.

The plot has been based on an original story by Ed Sullivan and Charles Grayson. Harry Clark and Paul G. Smith wrote the screen play. Joseph Sanford produced it, and Harold Schuster directed it. Some of the others in the supporting cast are Richard Carle, Jerome Cowan, Elisabeth Risdon, and Fritz Feld.

Suitability, Class A.

"As regards cancellations—some allow them and some do not—at the pleasure of the exchange manager, and when they do allow them they are hedged around with various conditions precedent to cancellations. In the case of Warner Brothers—they have simplified the cancellations very much. The independent exhibitors out here had to pay between fifteen and twenty-five percent more for their features so that when the exhibitor cancels out some pictures he is more than paying for them anyway.

"Why kid ourselves? The promises of the producers to exhibitors about trade reforms mean nothing. Even if the home office executives are sincere, the field forces will not listen to them; they want to make a record and will disregard any home office instructions that lower their sales. And what home office executive will punish them for being so inclined?

"It seems to me that there is no other way to bring reforms except by a law such as the Neely Bill, and any exhibitor who will not use his influence with his congressmen to make it a law is a sucker."

From the state of Louisiana comes another letter, which closes as follows:

"Metro, Paramount, R.K.O., Fox, United Artists and Warners have compelled me to continue paying the score although they call it all rental now.

"Fox won't sell me features without shorts and Metro and Vitagraph will not sell me without trailers.

"I was opposed to the Neely Bill two years ago, but now I am for it 100%, for I am thoroughly convinced that all branches of the industry would benefit from it."

If these two letters, and the others of similar content that I have received, give a true picture of what the film salesmen are doing in the field, (and I have no reason whatever to doubt the veracity of the exhibitors who have written the letters) then the home-office executives of the major distributors are guilty of either gross neglect or shameful double-dealing. And regardless of which it is, they owe an obligation, not only to the exhibitors whom they sought to influence by their announcement of trade reforms, but also to themselves and to the dignity of the positions they occupy, to clear the unpleasant atmosphere that has been created.

In troubled times such as we have now in the motion picture industry, customers are not to be treated as naive infants, to whom a promise can be made with the hope that it may be either overlooked or forgotten; and broken promises cannot be tolerated at all. The home-office executives of the major distributors must take the full responsibility for the manner in which the promised trade reforms are put into effect.

These executives are supposed to have the authority to formulate the sales policies of their companies and to control the enforcement of the companies' rules. The different salesmen are, in the final analysis, only subordinates, subject at all times to disciplinary action for any violation of the rules. Here is evidence, not of a minor, technical infraction of rules, but of a complete disregard for them, and of an arrogant contempt for the announced sales policies themselves.

What are the executives going to do about it? Will they again try to divert the attention from the main issue, as they have done at other times when they have been in a "tight spot," by accusing the exhibitors of lacking in showmanship, or will they face the problem squarely by directing their attack against their own recalcitrant employees, and either make them follow instructions, or fire them?

Of course, if the executives had no authority in the first place to define the policies of their companies concerning the trade reforms, or if they lack the power to enforce these policies on their salesmen, they should stop blowing at the exhibitors soap-bubbles; they should, instead, admit their helplessness and renounce the trade reforms. Then, at least, the exhibitors will have no more illusions. They will realize, beyond any further doubt, that their salvation lies in the enactment of the Neely Bill, under which they will have the right to buy in an open, competitive market only those films that they want to exhibit to their patrons—and nothing more.

The next move, therefore, is up to the distributor-executives.

CALL ON YOUR LOCAL EDITOR AND HAVE A HEART-TO-HEART TALK

The majority of the editorials that have appeared in the daily press against the Neely Bill would not have been written had every one of you done what you should have done—call on your local editor and have a heart-to-heart talk with him about your picture problems, pointing out to him how necessary is the passage of the Neely Bill. The producers took advantage of your failure to take such a step and were able to influence many newspaper editors. Few editors know this industry's problems well, and it is up to you to enlighten them.

The strength of your position lies in the fact that you are not compelled to resort to subterfuge; your side is so right that a proper presentation of it to the editor should be sufficient to enable him to determine his position relative to the Neely Bill.

The Toledo *Blade* editorial, discussed in these columns early last month, is a proof that the average editor knows little about the industry's problems, and will accept the word of the producers, because they present the Neely Bill as a censorship measure, and every newspaper man is opposed to censorship. That is how the producers are able to hoodwink so large a number of newspaper editors.

It is not yet too late to do missionary work; you will still need the good will of your local editor. Call on him and have a talk with him. Let him hear your side and let him determine for himself whether the producers or you are right in reference to the Neely Bill.

PICTURES NOW IN PRODUCTION

(Continued from last week)

Paramount

"THE GHOST BREAKERS," with Bob Hope, Paulette Goddard, Richard Carlson, Paul Lukas, Anthony Quinn, Willie Best, Pedro de Cordoba, and others, produced by Arthur Hornblow, Jr., and directed by George Marshall. It is a story about ghosts and haunted castles and sliding panels and murders, too fantastic to be believed, but the kind that may thrill those who seek this type of entertainment. The action starts in New York, and shifts to Havana, Cuba, where the heroine went to take possession of a castle she had inherited. A silver mine under the house was the cause of all the mystery and of the murders. The picture should draw just the crowds that the featured players draw.

"HENRY ALDRICH No. 1," with Jackie Cooper, Leila Ernst, Eddie Bracken, Hedda Hopper, Fred Niblo, Kay Stewart, and Etta McDaniel, produced by Theodore Reed. Jackie Cooper possesses a definite box-office value, which is enhanced or diminished in accordance with the quality of the story. No information about the story is available. Box-office results anywhere from fair to good.

RKO (Radio) Pictures

"THE SAINT TAKES OVER," with George Sanders, Wendy Barrie, Paul Guilfoyle, Roland Drew, produced by Howard Benedict and directed by Jack Hively. No doubt the story will be similar to the other "Saint" series. Fair.

"TOM BROWN'S SCHOOLDAYS," with Sir Cedric Hardwicke, Freddie Bartholomew, Jimmy Lydon, Billy Halop, Polly Moran, Gale Storm, Josephine Hutchinson, and others. Produced by Gene Towne and Graham Baker, and directed by Robert Stevenson. It is the Thomas Hughes old novel, dealing with a somewhat unruly school boy who enters Rugby. His associations at Rugby make a different boy out of him. After graduation, he enters Oxford. Two years afterwards he returns to Rugby to pay homage to his old schoolmaster, who lies dead.

Tom Brown grows up into a fine young man, the kind everybody will be in sympathy with. There is considerable human appeal in the story. The return of Tom to pay homage to his old schoolmaster is touching. But there is no love affair in the original story, and unless the producers have altered the story to include one, the picture will turn out perhaps fine, but it is doubtful whether its box office possibilities will be very big.

IN TWO SECTIONS—SECTION ONE

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QUEER LOGIC

The March 20 issue of *Christian Century* states editorially that the Methodist clergy of Minneapolis recently inquired of the local office of the Roman Catholic Legion of Decency regarding its attitude toward the Neely Bill, and received a reply which included the following statement:

"In reality block-booking as it exists in the country has been a protection to us because it has crowded out the bad pictures. If the Neely Bill, which aims at destroying block-booking, goes through, our theaters will be flooded with cheap, independent pictures and we shall have a task on our hands which will exceed our powers. Hence, I am advising all Catholic organizations to write to their congressmen in Washington and oppose the Neely Bill."

If what the Minneapolis Chapter of the Legion says is true, then the Legion of Decency has no reason for existence; the existence of block-booking should be enough to keep poor pictures off the screen, leaving room for only the good pictures.

The Minneapolis office of the Legion is in serious error, however, when it says that the system of block-booking, as it exists today, has protected the screen against demoralizing pictures. This system, in its present form, existed long before the Legion of Decency was organized, and it was the abuses of this system that caused the revolt of the churches, particularly of the Roman Catholic Church. Need I recall to the Minneapolis office of the Legion the blasts against this system uttered by Bishop Cantwell of the Los Angeles Diocese; by Cardinal Dougherty; by the Reverend Henry F. Hammer; by Father Lord; and by other prominent Catholic clergymen?

It was this system, with the evils it made possible, that caused Father Lord to write, in the pamphlet entitled, "The Motion Pictures Betray America":

"In many cases the exhibitor, poor man, is in a tight fix. He cannot show any pictures at all and must close his theater unless he takes all the pictures of the company with which he signs a contract.

"Block booking is the necessity of buying the whole output of a company, or by far the major portion of it, in order to get any films at all. It makes it necessary for a man to show the bad in order to get the good. And this is the high-handed policy of practically all the leading companies."

Apparently the causes and the events that culminated in the formation of the Legion of Decency have been forgotten. For twenty years the independent exhibitors, championed by HARRISON'S REPORTS and supported by some of the clergy, fought against unclean pictures that they were compelled to buy. They fought also against compulsory block-booking, for they recognized it as the means by which the distributors could compel them to show cheap, inferior and filthy pictures, while the exhibitor was left helpless in his efforts to keep such pictures from his screen.

And now, by some queer logic, the Minneapolis office of the Legion announces that this very system has been its protection against salacious pictures, and that the outlawing of compulsory block-booking, by the enactment of the Neely Bill, will flood the screen with pictures of this type.

Surely this statement cannot reflect the honest belief of the Minneapolis office of the Legion. Some one in that office must have made a mistake. And such a mistake should be corrected without delay.

THE END OF FORCED ROADSHOWS

The RKO theatres in the New York metropolitan area have been double-featuring the RKO picture, "Abe Lincoln in Illinois" with the 20th Century-Fox picture, "The Blue Bird," at top admission prices of 35c on weekdays, 50c on weekends, and 25c until 5 o'clock in the afternoon.

The newspaper advertisements read: "Imagine 2 such great pictures on one program!"

It is really difficult to imagine two such pictures on the same program: they represent a cost of about three million dollars; "The Blue Bird" was exhibited only a short time ago as a roadshow; and the Lincoln picture has emerged only recently from a storm of protest over the reports that exhibitors would be asked to pay for it fifty percent of their gross receipts.

W. "Al" Steffes, the prominent exhibitor-leader, was right when, upon learning that "The Blue Bird" would be roadshow, he said, "What exhibitor would be sappy enough to play a Temple picture as a roadshow? Most exhibitors don't want her as a gift. She was washed up two years ago. * * * * "

HARRISON'S REPORTS stated in its January 27 issue, "I wonder whom 20th-Century-Fox is 'kidding' by passing off this picture as a road show attraction. * * * *

"The Blue Bird" is not a picture of roadshow calibre, despite the \$2,000,000 cost, and to pass it off on the public as such will cause resentment that will not be a good thing for the motion picture industry. And it will not fare well at the box office after the 'panning' it received from the New York newspaper reviewers. * * * *

"When Twentieth Century-Fox announced that, on the strength of the roadshow provision, it was pulling out 'The Blue Bird' for the purpose of roadshowing it, some of you feared that you would not get the picture on your regular program—that Fox would make you pay more money for it if you wanted to get it. My personal opinion is that Fox will be glad to let you have it on your regular contract if you will have it. I fear that the picture will 'die' in the evenings, even though it may do good business in the afternoons, mostly child trade."

When the newspaper advertisements of these two pictures on one bill appeared, the exhibitors and some of the trade papers set up a great howl. They charged that such a double feature indicated a weakness in chain-theatre operation; that it demonstrated the superiority of independent management over affiliated circuit management; that it proved the lack of showmanship on the part of the executives of the affiliated chains; and that, quoting *Variety*, "There is something basically wrong when the film industry sells so cheaply products so expensive to make."

To the charges made by the exhibitors, I would add the observation that incidents such as this one evidence the favoritism shown by distributors toward the affiliated circuits. Here are two top-bracket pictures, for each of which the distributor would demand between 35% and 50%. If an independent exhibitor had wished to show them on one bill, it would have cost him anywhere from 70% of his gross to all of it, with the result that he would have landed in either the poor house or the insane asylum. And he would have been accused of a lack of both showmanship and business sense. But in the present instance we need waste no pity on the theater owner, for this "colossal" bill

(Continued on last page)

"Rebecca" with Laurence Olivier and Joan Fontaine

(United Artists, April 12; time, 129 min.)

A powerful psychological drama for adults. David O. Selznick has given it a superb production, and Alfred Hitchcock has again displayed his directorial skill in building up situations that thrill and hold the spectator in tense suspense. Although it is a class picture, the popularity of the novel from which the plot was adapted should insure very good box-office results. Only one change was made in the adaptation; instead of having the husband kill his wife, she dies accidentally. This was an intelligent alteration, for in that way, the audience's sympathy for the hero is unchanged. Joan Fontaine portrays the heroine with deep feeling and understanding. One pities her because of her inability to cope with certain problems, yet respects her for her courage:—

Joan Fontaine, a simple orphaned English girl, meets Laurence Olivier, a wealthy Englishman, owner of a famous estate. She learns that Olivier was brooding over the loss of his wife, who had drowned. When Olivier asks Miss Fontaine to marry him, she joyfully accepts. Once they arrive at his estate, she is unhappy, for she feels out of place. Every one, particularly the housekeeper (Judith Anderson), who had worshipped the dead woman, keeps reminding her about the first wife, how beautiful, worldly, and accomplished she had been. But one night, after great excitement caused by a shipwreck near the estate, Olivier tells Miss Fontaine everything—that, although every one had adored his first wife, he had despised her, for she had been unfaithful and vicious. She had taunted him by saying that she was going to have a baby that was not his. During a quarrel she had accidentally fallen and had struck her head on a bar; she had died immediately. Fearing that he might be suspected of murder, Olivier had placed her body in a boat, bored holes in it, and had watched it sink. He had later identified the body of another woman as that of his wife's. But he felt that everything was over now, for the divers working on the shipwreck had come across the boat with the body in it. Miss Fontaine pleads with him to have courage. The fact that he had identified another body as that of his wife's is not considered important, but when the facts about the holes are brought out, the question of suicide is broached. C. Aubrey Smith, chief investigator, calls a recess to carry on further investigations. Olivier is approached by George Sanders, who had been one of his first wife's lovers, who demands blackmail, threatening otherwise to bring up murder charges against Olivier. Olivier tells Smith about the threats. When Sanders charges that the dead woman was going to have a baby, Smith decides to visit the doctor who had treated her. He learns from the doctor that the woman had had cancer, from which she would have died in a few months. Smith decides, therefore, that she had committed suicide. With the fear of discovery lifted from his mind, Olivier rushes to Miss Fontaine, who was waiting at the estate. He is heartbroken to find that it had been set on fire by Miss Anderson, who had gone crazy when she had learned the truth. But he is happy that his wife was safe.

The plot was adapted from the novel by Daphne Du-Maurier. Robert E. Sherwood and Joan Harrison wrote the screen play. Nigel Bruce, Gladys Cooper, Reginald Denny, and others are in the cast.

Class A as to production values but Class B as to suitability.

"Forgotten Girls" with Louise Platt and Donald Woods

(Republic, March 15; time, 66 min.)

A routine program melodrama. Spectators who are not too particular about story values may enjoy it, but intelligent audiences will find the plot extremely far-fetched. The sympathy one feels for the heroine is the only reason why one's interest is held to any extent, since the story is, for the most part, unpleasant, involving obnoxious characters. The romance is developed according to formula:—

Louise Platt lives with her step-mother (Wynne Gibson), whom she supports. Miss Gibson was infatuated with Jack LaRue, an underworld character, who had promised to marry her; but, unknown to her, he was trying to force his attentions on Miss Platt, who repulsed him. One night, he arrives at the apartment while Miss Platt was there alone; terrified by his advances, she strikes him with a frying pan, and he falls unconscious. Miss Gibson, who had arrived and overheard the quarrel, permits Miss Platt to

run away; she then examines LaRue, and, finding him alive, strikes him again; her blow kills him. Miss Platt is arrested, tried, and sentenced to five years' imprisonment. But Donald Woods, a newspaper reporter who had become interested in Miss Platt, starts investigating on his own. He becomes convinced that Miss Gibson was the real murderer. In the meantime, worried lest Miss Platt might say something that would involve her, Miss Gibson enters into a plot with Eduardo Ciannelli, an underworld character, to get Miss Platt out of prison. He does this with the help of a bribed matron; they place a corpse in Miss Platt's bed, and then dynamite the room, making identification impossible. In that way, Miss Platt is considered dead; and Ciannelli, for his fee, collects on her life insurance policy. But Miss Platt, refusing to be a party to the deception, runs away; she contacts Woods, who is happy to know that she was alive. Together they trick the gangsters. Miss Gibson, who was dying from injuries suffered in an automobile accident, confesses, clearing Miss Platt. Woods and Miss Platt marry.

Frank McDonald wrote the story, and Joseph M. March and F. Hugh Herbert, the screen play; Phil Rosen directed it, and Robert North produced it. In the cast are Robert Armstrong, Barbara Pepper, Charles D. Brown, and others.

Not for children or adolescents. Adult fare. Class B.

"It All Came True" with Ann Sheridan, Jeffrey Lynn and Humphrey Bogart

(Warner Bros., April 6; time, 96 min.)

Although not a big picture, this offers the kind of entertainment that should find favor with the masses. It has comedy, some music, and a little melodramatic action, as well as romance and human appeal. And to top it off, the performances are very good. Even though it glorifies a gangster by showing him doing a kind deed for a group of people who had changed his outlook on life, it is not demoralizing, for the gangster is shown paying for his misdeeds in the end. The wisecracks and dialogue are at times a bit risqué, but not to the extent that one should take offense at them:—

Una O'Connor and Jessie Busley, who had inherited a house from an old friend, keep a few elderly lodgers, all former friends of their benefactress. But they are distressed, for they had received a notice from the bank that unless they could meet an interest payment, the house would be taken away from them. Miss Busley is optimistic; she believed that one day her son (Jeffrey Lynn), who had been away from home for a long time, would return wealthy and take care of everything. Lynn, who had been a piano player in a cafe run by a gangster (Humphrey Bogart), does return home, but with Bogart, who had compelled him to take him to his mother's boarding house. Bogart had killed a man with a gun that he had registered in Lynn's name; he threatened Lynn that, unless he would hide him in his mother's house, he would turn the gun over to the police. Bogart keeps to his room, refusing to see any of the other boarders. But Ann Sheridan, Miss O'Connor's daughter, finally gets a glimpse of him, and is shocked to discover that he was the gangster in whose cafe she had once worked as a chorus girl. This worried her, for she knew that Lynn was in trouble. Nevertheless, she plays up to Bogart, and induces him to advance the money owing to the bank. Bogart, who was growing tired of inactivity and sick of the motherly attention given him by his two ladies, hits upon the idea of turning the house into a night club, retaining its old-fashioned atmosphere, all to be done at his expense. Miss Sheridan thinks it a fine idea; she and Lynn work out some numbers for an act, hoping that they would finally make good. On the opening night, the police find out where Bogart was hiding, and go there. He tells them to wait until the end of the show, after which he would give them some startling information. His intention was to turn Lynn over to the police, with the gun as evidence, so as to have Miss Sheridan for himself. But when Miss Busley expresses her thanks, with tears in her eyes, for what he had done, and kisses his hand, Bogart softens, and gives himself up, thus leaving the way clear for Miss Sheridan and Lynn to marry.

The plot was adapted from the novel by Louis Bromfield; Michael Fessier and Lawrence Kimble wrote the screen play, Lewis Seiler directed it, and Hal Wallis produced it, with Mark Hellinger as associate producer. In the cast are Zazu Pitts, Grant Mitchell, John Litel, and others.

Not for children. Suitable for adolescents and adults. Class B.

"French Without Tears" with Ray Milland and Ellen Drew

(Paramount-British Prod., April 19; 66 min.)

This is one of Paramount's British productions. It is weak fare for the average American audience, first, because the players, with the exception of Ray Milland and Ellen Drew, are unknown here, and speak with thick accents; and, secondly, the story is boresome. It is a sex comedy, in which the leading characters are made to appear foolish and unpleasant. There is practically no action, the plot unfolding mostly by dialogue; and the talk is quite suggestive throughout. Ellen Drew, as the flirtatious heroine, tries hard to make the character appealing, but the part she plays is so unpleasant that one is irked by her actions. The ending is quite obvious:—

Four Englishmen (Milland, David Tree, Guy Middleton, and Kenneth Morgan) are student-guests at a villa in the south of France, where they receive private instruction in French. Ellen Drew, sister of young Morgan, arrives and upsets the routine of the place; she flirts outrageously and causes enmity amongst the men. Milland is the only one who does not "fall" for her because he is too wise. Another Englishman (Roland Culver), a Commander, arrives for instructions; Miss Drew sets out to win him over, too. The fight then simmers down to Tree and Culver, who are both led to believe that Miss Drew loved them. This hurts Janine Darcey, a young instructress, because she loved Tree. Eventually the two men learn, to their surprise, that Miss Drew had been feeding each one with the same lies; they are then cured. When confronted by the two men and Milland, Miss Drew claims that she loves only Milland. Milland, in order to keep out of her clutches, decides to leave the next morning, and warns his friends to keep a close watch over him. But at the last minute, Milland finds that he cannot resist Miss Drew's charms and so gives in.

The plot was adapted from the play by Terence Rattigan; A. deGrunwald and Ian Dalrymple wrote the screen play, and Anthony Asquith directed it. In the cast are Margaret Yarde and Toni Gable.

Not for children. Suitable for adolescents and adults. Class B.

"Half a Sinner" with Heather Angel and John King

(Universal, April 5; time, 59 min.)

This comedy-melodrama is based on a fantastic plot, but it may go over with action-loving fans, for it keeps moving at a pretty fast pace throughout. Most likely, no one will take it seriously, or remember anything about it once they have left the theatre; yet they may find it a diverting hour of light entertainment. The action holds one in fair suspense, because of the predicament in which the heroine finds herself. The romance is pleasant:—

Heather Angel, a plain-looking school teacher, decides to have some fun. Using the money she had saved, she buys herself a fashionable outfit, goes to a beauty parlor, and emerges an attractive girl. While sitting in a park, she is approached by a sinister-looking man; frightened, she jumps into the man's car and drives away, little knowing that the car was a stolen one and that there was a dead man on the floor in the back. While driving along, she is stopped by John King, who asks her for a lift, since his car had broken down. He discovers the body and is shocked. When he speaks to Miss Angel about it, she is terrified and tells him the truth; he promises to help her. The police were looking for the car which had been reported stolen, and so she and King have a hectic time evading them. The gangsters, too, were looking for the car, for the body was covered with an overcoat belonging to their chief and they wanted to get it before the police did. But King and Miss Angel, with the help of Constance Collier, an elderly wealthy woman who had taken an interest in them, trap the gangsters and turn them over to the police. It develops that King was really the owner of the car, which had been stolen from him, and that, upon recognizing it, had stopped Miss Angel, pretending to need a lift. By the time the excitement dies down, Miss Angel and King find themselves in love with each other.

Dalton Trumbo wrote the story, and Frederick Jackson, the screen play; Al Christie directed it. In the cast are Walter Catlett, Tom Dugan, Robert Elliott, Clem Bevans, Emma Dunn, and others.

Suitability, Class A.

"Florian" with Robert Young, Helen Gilbert and Charles Coburn

(MGM, March 29; time, 92 min.)

Very good. There is no doubt that horse lovers will be thrilled by this picture. But it is not designed as entertainment solely for them, for the picture has a wholesome human-interest story, fine production values, and romance. It must be admitted though that the real thrills come from watching the famous Lippizan horses performing their tricks. There are several beautiful outdoor shots of the horses at play that should draw "ahs" from an audience. Another entertaining part of the picture is the ballet dancing by Irina Baronova, who is well-known to dance enthusiasts. The action starts in Austria, just before the outbreak of the first World War:—

Robert Young, a trainer at the Lippizan stud farm, where the famous horses were bred, is overjoyed at the birth of a new foal, who appeared to be perfect in every respect. He calls on Helen Gilbert, a member of the Austrian royal family, and asks her to obtain from Emperor Franz Joseph permission for Young to train the foal himself; she does that for him. Young loves Miss Gilbert but realizes the impossibility of such a match. After four years of training, the horse (Florian) is in perfect shape. But complications arise when Lee Bowman, an archduke, who had been ordered by the Emperor to pay court to Miss Gilbert, promises to give Florian to a ballet dancer as a parting gift before breaking up their affair. Miss Gilbert puts a stop to that, and further gains the Emperor's permission for Young to continue with Florian's training. War breaks out, and at its conclusion the old order disappears. Young helps Miss Gilbert to escape from the revolutionists. He is caught and imprisoned, but is freed later; in company with Charles Coburn, an old friend, he sets out to look for Florian. When they learn that Florian had been sold to a New Yorker, they leave for the United States. Eventually, after many disappointments, they find Florian, who had been beaten and mistreated. Miss Gilbert reads about the horse and rushes to see him. To her joy she finds also Young, who, she thought, had been killed by the revolutionists. They are married.

The plot was adapted from the novel by Felix Salten. Noel Langley, Geza Herczeg, and James K. McGuinness wrote the screen play, Edwin L. Marin directed it, and Winfield Sheehan produced it. In the cast are Reginald Owen, Lucile Watson, Rand Brooks, and others.

Class A.

"Midnight Limited" with John King and Marjorie Reynolds

(Monogram, March 20; time, 61 min.)

A fair program crook melodrama. Mystery fans may enjoy it, even though the identity of the crook is known, for the means by which he carries out his plans are not divulged until the end. The action is far-fetched, but undiscriminating audiences who look for excitement rather than plausibility will probably overlook that fact. The closing scenes are fairly exciting. A routine romance is worked into the plot:—

A series of robberies that had taken place on a crack midnight limited train were puzzling the railroad company officials. John King, detective for the company, undertakes to solve the mystery. He engages Marjorie Reynolds, one of the passengers who had been robbed, to assist him, since she was the only one who had caught a glimpse of the crook. One of King's assistants is killed by the crook during another holdup. King, who suspected certain persons of being in with the crooks, contacts them; he passes word around that he was planning to travel on the midnight limited, and that he had a large sum of money with him. His plans work; the crook and his assistant are caught. The assistant turns out to be the baggage car agent, who had used a coffin in the baggage car in which to hide the crook. With the case settled, King and Miss Reynolds, who had fallen in love with each other, marry.

Harrison Carter and C. B. Williams wrote the original screen play, and Howard Bretherton directed it; T. R. Williams produced it. In the cast are George Cleveland, Edward Keane, Pat Flaherty, Monte Collins, and others.

Not for children. Suitable for adolescents and adults. Class B.

is presented, not by an independent exhibitor, but by an affiliated circuit, and you don't have to worry about it—you don't think RKO is paying 70% for this program! Is it any wonder that the independent exhibitors are aroused?

In one respect, however, this incident may have a healthy effect on the picture business: it may mark the end of the vicious practice of roadshowing pictures indiscriminately, and then forcing the continuance of the roadshow run, despite its lack of box office return, merely for the purpose of creating for the picture an artificial prestige.

Many have been the times when a distributor's announcement that it would roadshow a certain picture struck the exhibitors with amazement. After seeking in vain to find something in the picture that might warrant a roadshow classification, the exhibitors would conclude that it had been pulled out of their contracts for no other reason than that the distributor had suddenly gotten the brilliant idea that a roadshow would gross more money than would a general release. The fact that the idea turned out frequently to be not such a good one did not deter the distributors from trying again and again. The exhibitors, because of the one-sided contract provisions, could do nothing about it but shout their protests. And the public were victimized, for they were induced to pay roadshow admission prices for entertainment of only ordinary caliber.

Of course, so long as the public continued to patronize roadshows, the evil of forced roadshows could go on unabated. But the public have been growing more and more discriminating; they inquire into the merits of pictures before spending their money to see them, particularly before spending the higher admission prices for roadshow pictures. That is why "The Blue Bird," despite an extensive exploitation campaign and despite all the forcing done by the distributor, could not last long as a roadshow, and soon wound up as part of a double feature. The public refused to be "kidded."

This incident may turn out to be of benefit to the industry: it may be the factor that will finally convince the distributors that, with exceedingly rare exceptions, both they and the exhibitors will be better off financially if they will forget this roadshow nonsense, and will release their pictures generally as soon as they are completed. Perhaps the industry needed an incident such as this one—a roadshow of an 81 minute children's picture, and its drop, within two months, to a place on a double bill, to deter the public from patronizing roadshows, and thus restore the healthy system of letting the exhibitors show the pictures at their regular theatres.

Al Steffes said that Shirley Temple was "washed up" at the box office. Regardless of whether she is or is not, the exhibitors, as well as the other branches of the industry, should be thankful to her, because her latest picture, "The Blue Bird," will certainly have a decided effect in "washing up" forced roadshows.

THE PROOF OF THE PUDDING

The March 13 issue of *Variety* reports that, at the recently held convention of the Northwest Allied, Mr. W. R. Frank, "head of one of the territory's largest and most successful independent circuits," stated to the convention:

"I'm living in constant fear today and I grovel quivering at the feet of the few who are in control of this industry. Unless exhibitors now show some backbone and help themselves they'll lose their theatres completely. Few independent exhibitors are able to make any money today and all are on the spot. If the Neely Bill doesn't pass, they'll be squeezed still tighter. Every day I sit trembling. But the worst they can do is to take my theatres away from me."

The convention went on record unanimously as being "wholeheartedly" in favor of the passage of the Neely Bill.

For some time now the opponents of the Neely Bill have been spreading false rumors about the attitude of the independent exhibitors toward the bill. These rumors are to the effect that the independents, having finally become familiar with the provisions of the bill, realize that it is a dangerous measure, which, if passed, will put them out of business, and that, consequently, even the independent exhibitors who had supported the bill strenuously have now turned against it and advocate its defeat.

The convention of Northwest Allied was attended by a representative group of independent exhibitors. The sentiments voiced by Mr. Frank and the resolution adopted unanimously in favor of the Neely Bill's enactment into a law are definite and conclusive proof that these rumors are utterly false; the exhibitor who is free from distributor affiliations is still in favor of the Neely Bill "wholeheartedly" and is still supporting it militantly.

PICTURES NOW IN PRODUCTION

(Continued from last week)

Twentieth Century-Fox

"MARYLAND," with Walter Brennan, John Payne, Brenda Joyce, Fay Bainter, Charlie Ruggles, Marjorie Weaver, Hattie McDaniel, Sidney Blackmer, and others, produced in technicolor by Gene Markey, and directed by Henry King. No information is available about this story, but judging by the fact that it will be produced in technicolor the producers must have much faith in it. So far as the box-office value of the cast is concerned, it is fair, or fairly good.

"ROGUE OF THE RIO GRANDE," with Cesar Romero, Mary Beth Hughes, Evelyn Venable, and others, produced by John Stone, and directed by H. Bruce Humberstone. No doubt a western melodrama, with the romance given a Spanish flavor, because of the presence of Cesar Romero. Program stuff—for double-billing.

"MILLION DOLLAR DIAMOND," with Florence Rice, Joan Valerie, and others, produced by Sol M. Wurtzel, and directed by Ricardo Cortez. Program stuff—for double-billing.

United Artists

"TURNABOUT," with John Hubbard, Adolphe Menjou, Inez Courtney, Polly Ann Young, Margaret Roach, Mary Astor, Donald Meek, Verree Teasdale, Carole Landis, and William Gargan, produced and directed by Hal Roach. It is the Thorne Smith novel, a fantastic story that deals with a married couple who are dissatisfied with each other: the husband thinks that all his wife does is sleep till noon and loaf the rest of the day, whereas the wife thinks that the husband's office work is a cinch. Ram, the Egyptian ornament-god, comes to the rescue: he transfers the wife's self to the husband's body, and the husband's self to the wife's body. As a woman, the husband does the house work, and the wife, as a man, goes to the office and attends to business. The feminine voice of the supposed-husband startles the office help, and when "he" goes to the ladies' room the office is thrown in an uproar. Then comes the shock: the "husband" becomes pregnant. Nine months later the supposed-husband gives birth to a child. Satisfied with what he had done, the Egyptian god restores each to his former self.

It is a peculiar story, the kind that does not seem to lend itself to anything but a vulgar comedy, but since comedy is in Mr. Roach's alley he may be able to make a good picture with it. Most of the cast appearing in this picture took part in "The Housekeeper's Daughter," and that picture turned out to be a riot of laughter. It is better that you wait until it is tradeshow to know what it is going to be.

Universal

"SANDY IS A LADY," with Baby Sandy, Mischa Auer, Nan Grey, Tom Brown, Billy Lenhart, Kenneth Brown, Eugene Pallette, Billy Gilbert, Edgar Kennedy, Anne Gwynne, Fritz Field, and Richard Lane, produced by Burt Kelly, and directed by Charles Lamont. No doubt a good program comedy.

"IF I HAD MY WAY," with Bing Crosby, Gloria Jean, Charles Winniger, El Brendel, Claire Dodd, Nana Bryant, Rodney Cox, Donald Woods, and others, produced and directed by David Butler. A good director and good leads should make this picture a very good one, with very good box-office results.

"LA CONGA NIGHTS," with Hugh Herbert, Constance Moore, Dennis O'Keefe, Eddie Quillan, Armida, Joe Brown, Jr., and others, produced by Ken Goldsmith, and directed by Lew Landers. A good producer, a good director, and a good cast ought to make this a good program picture.

HARRISON'S REPORTS

Vol. XXII

NEW YORK, N. Y., SATURDAY, APRIL 6. 1940

No. 14

(Partial Index No. 2—Pages 26 to 52 Incl.)

<i>Titles of Pictures</i>	<i>Reviewed on Page</i>
Bill of Divorcement, A—RKO (74 min.)	51
Black Friday—Universal (69 min.)	46
Blondie on a Budget—Columbia (73 min.)	39
Broadway Melody of 1940—MGM (100 min.)	30
Bullet Code—RKO (58 min.)	38
Bullets for Rustlers—Columbia (58 min.)	Not Reviewed
Castle on the Hudson—First National (76 min.)	34
Charlie Chan in Panama—20th Century-Fox (67 min.)	31
Cheyenne Kid—Monogram (49 min.)	Not Reviewed
Chip of the Flying U—Universal (55 min.)	Not Reviewed
Chump at Oxford, A—United Artists (62 min.)	31
Convicted Woman—Columbia (66 min.)	35
Courageous Dr. Christian, The—RKO (65 min.)	50
Cowboys from Texas—Republic (57 min.)	Not Reviewed
Danger Ahead—Monogram (60 min.)	Not Reviewed
Days of Jessie James—Republic (63 min.)	Not Reviewed
Dr. Cyclops—Paramount (75 min.)	47
Dr. Ehrlich's Magic Bullet—First National (102 min.)	27
Double Alibi—Universal (60 min.)	39
East Side Kids—Monogram (62 min.)	35
Farmer's Daughter, The—Paramount (60 min.)	31
Five Little Peppers at Home—Columbia (65 min.)	35
Free, Blonde and 21—20th Century-Fox (66 min.)	38
Gentleman from Arizona—Mono. (76 min.)	Not Reviewed
Ghost Comes Home, The—MGM (79 min.)	43
Granny Get Your Gun—Warner Bros. (56 min.)	31
Heroes of the Saddle—Republic (57 min.)	Not Reviewed
House Across the Bay, The—United Artists (86 min.)	42
House of Seven Gables—Universal (88 min.)	46
Human Monster, The—Monogram (75 min.)	47
It's a Date—Universal (102 min.)	50
Knights of the Range—Paramount (69 min.)	Not Reviewed
Lion Has Wings, The—United Art. (73 min.)	Not Reviewed
Little Orvie—RKO (65 min.)	38
Má! He's Making Eyes at Me!—Universal (61 min.)	51
Man from Dakota, The—MGM (74 min.)	35
Marines Fly High, The—RKO (67 min.)	26
Millionaire Playboy—RKO (64 min.)	39
Murder on the Yukon—Monogram (58 min.)	Not Reviewed
My Little Chickadee—Universal (83 min.)	26
My Son! My Son!—United Artists (117 min.)	42
Northwest Passage—MGM (124 min.)	30
Outside the Three-Mile Limit—Columbia (63 min.)	43
Parole Fixer—Paramount (57 min.)	26
Pinocchio—RKO (87 min.)	27
Pioneer Days—Monogram (51 min.)	Not Reviewed
Pioneers of the Frontier—Columbia (58 min.)	Not Reviewed
Primrose Path—RKO (92 min.)	46
Rhythm of the Rio Grande—Mono. (53 min.)	Not Reviewed
Road to Singapore, The—Paramount (84 min.)	39
Saga of Death Valley—Republic (58 min.)	Not Reviewed
Santa Fe Marshal—Paramount (68 min.)	Not Reviewed
Seventeen—Paramount (76 min.)	38
Shooting High—20th Century-Fox (64 min.)	51
Showdown—Paramount (63 min.)	Not Reviewed
South of the Border—Republic (71 min.)	Not Reviewed
Spirit of the People—RKO (See "Abe Lincoln in Illinois")	11
Strange Cargo—MGM (113 min.)	42
Swiss Family Robinson—RKO (93 min.)	27
Taming of the West—Columbia (55 min.)	Not Reviewed
They Came by Night—20th Century-Fox (73½ min.)	43
Three Cheers for the Irish—First National (100 min.)	47
Too Many Husbands—Columbia (84 min.)	47
Two Fisted Rangers—Columbia (62 min.)	Not Reviewed
Vigil in the Night—RKO (95 min.)	30
Village Barn Dance—Republic (71 min.)	26
Virginia City—Warner Bros. (121 min.)	50
Viva Cisco Kid—20th Century-Fox (70 min.)	51
West of Carson City—Universal (55 min.)	Not Reviewed
Women Without Names—Paramount (62½ min.)	34
Young Tom Edison—MGM (85 min.)	34
Zanzibar—Universal (69 min.)	43

RELEASE SCHEDULE FOR FEATURES	
Columbia Features	
(729 Seventh Ave., New York, N. Y.)	
1202	The Stranger from Texas—Starrett (54 min.) Nov. 2
1013	Blondie Brings Up Baby—Singleton Nov. 9
1007	The Amazing Mr. Williams—Blondell Nov. 23
1030	Cafe Hostess—Foster-Dvorak Nov. 30
1211	Taming of the West—Bill Elliott (55 min.) Dec. 7
1026	Fugitive at Large—Holt-Ellis Dec. 7
1033	My Son Is Guilty—Cabot-Wells Dec. 28
1203	Two Fisted Rangers—Starrett (62 min.) Jan. 4
1018	Music in My Heart—Martin-Hayworth Jan. 10
1033	His Girl Friday—Grant-Russell Jan. 18
1019	The Lone Wolf Strikes—William Jan. 26
1034	Convicted Woman—Hudson-Ford Jan. 31
1212	Pioneers of the Frontier—Elliott (58 min.) Feb. 1
1020	Five Little Peppers at Home—Fellows Feb. 8
1014	Blondie on a Budget—Singleton-Lake Feb. 29
1204	Bullets for Rustlers—Starrett (58 min.) Mar. 5
1027	Outside the Three-Mile Limit—Holt Mar. 7
1035	Men Without Souls—Litel-Hudson Mar. 14
1004	Too Many Husbands—Arthur-MacMurray Mar. 21
1205	Blazing Six Shooters—Starrett (61 min.) Apr. 1
	The Man with Nine Lives—Karloff-Pryor Apr. 11
	The Doctor Takes a Wife—Young-Milland Apr. 25
	Babies for Sale—cast not set Apr. 28
	Ten Days in Paris—Rex Harrison-Verne Apr. 30
1213	Block "K" Rides Tonight—Elliott May 2
1206	Texas Stagecoach—Starrett (59 min.) June 6
("I Married Adventure," listed in the last Index as a March 28 release, has been postponed)	
First National Features	
(321 W. 44th St., New York, N. Y.)	
451	The Fighting 69th—Cagney-O'Brien Jan. 27
459	Castle on the Hudson—Garfield (re.) Feb. 17
457	Dr. Ehrlich's Magic Bullet—Robinson (re.) Mar. 2
465	Three Cheers for the Irish—P. Lane Mar. 16
	'Til We Meet Again—Oberon-Brent-O'Brien Apr. 20
	An Angel from Texas—Albert-R. Lane-Morris Apr. 27
Metro-Goldwyn-Mayer Features	
(1540 Broadway, New York, N. Y.)	
24	The Man from Dakota—Beery-Del Rio Feb. 10
25	Northwest Passage—Tracy-Young-Brennan Feb. 23
23	Strange Cargo—Gable-Crawford Mar. 1
27	The Ghost Comes Home—F. Morgan-Burke Mar. 8
28	Young Tom Edison—Rooney-Bainter-Weidler Mar. 15
	No release for Mar. 22
29	Florian—Young-Gilbert-Bowman-Coburn Mar. 29
32	And One Was Beautiful—Cummings-Day Apr. 5
30	Dr. Kildare's Strange Case—Ayres-Day Apr. 12
33	Two Girls on Broadway—Turner-Blondell Apr. 19
34	Forty Little Mothers—Cantor-R. Morgan Apr. 20
	Twenty Mule Team—Beery-Carrillo-Baxter May 3
	Edison, the Man—Tracy-Johnson-Travers May 10

RELEASE SCHEDULE FOR FEATURES

Columbia Features

(729 *Seventh Ave.*, *New York, N. Y.*)

1202	The Stranger from Texas—Starrett (54 m.)	Nov. 2
1013	Blondie Brings Up Baby—Singleton	Nov. 9
1007	The Amazing Mr. Williams—Blondell	Nov. 23
1030	Cafe Hostess—Foster-Dvorak	Nov. 30
1211	Taming of the West—Bill Elliott (55 min.)	Dec. 7
1026	Fugitive at Large—Holt-Ellis	Dec. 7
1033	My Son Is Guilty—Cabot-Wells	Dec. 28
1203	Two Fisted Rangers—Starrett (62 min.)	Jan. 4
1018	Music in My Heart—Martin-Hayworth	Jan. 10
1033	His Girl Friday—Grant-Russell	Jan. 18
1019	The Lone Wolf Strikes—William	Jan. 26
1034	Convicted Woman—Hudson-Ford	Jan. 31
1212	Pioneers of the Frontier—Elliott (58 min.)	Feb. 1
1020	Five Little Peppers at Home—Fellows	Feb. 8
1014	Blondie on a Budget—Singleton-Lake	Feb. 29
1204	Bullets for Rustlers—Starrett (58 min.)	Mar. 5
1027	Outside the Three-Mile Limit—Holt	Mar. 7
1035	Men Without Souls—Litel-Hudson	Mar. 14
1004	Too Many Husbands—Arthur-MacMurray	Mar. 21
1205	Blazing Six Shooters—Starrett (61 min.)	Apr. 1
	The Man with Nine Lives—Karloff-Pryor	Apr. 11
	The Doctor Takes a Wife—Young-Milland	Apr. 25
	Babies for Sale—cast not set	Apr. 28
	Ten Days in Paris—Rex Harrison-Verne	Apr. 30
1213	Block "K" Rides Tonight—Elliott	May 2
1206	Texas Stagecoach—Starrett (59 min.)	June 6
	<i>("I Married Adventure," listed in the last Index as a March 28 release, has been postponed)</i>	

First National Features

(321 W. 44th St., New York, N. Y.)

451	The Fighting 69th—Cagney-O'Brien	Jan. 27
459	Castle on the Hudson—Garfield (re.)	Feb. 17
457	Dr. Ehrlich's Magic Bullet—Robinson (re.)	Mar. 2
465	Three Cheers for the Irish—P. Lane	Mar. 16
	'Til We Meet Again—Oberon-Brent-O'Brien	Apr. 20
	An Angel from Texas—Albert-R. Lane-Morris	Apr. 27

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

(1936 Broadcasts, New York, N. Y.)	
24	The Man from Dakota—Beery-Del Rio
25	Northwest Passage—Tracy-Young-Brennan ..
23	Strange Cargo—Gable-Crawford
27	The Ghost Comes Home—F. Morgan-Burke ..
28	Young Tom Edison—Rooney-Bainter-Weidler ..
	No release for
29	Florian—Young-Gilbert-Bowman-Coburn ..
32	And One Was Beautiful—Cummings-Day
30	Dr. Kildare's Strange Case—Ayles-Day
33	Two Girls on Broadway—Turner-Blondell ..
34	Forty Little Mothers—Cantor-R. Morgan ..
	Twenty Mule Team—Beery-Carrillo-Baxter ..
	Edison, the Man—Tracy-Johnson-Travers ..
	May 10

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

3912 Gentleman from Arizona—MacDonald (76m.) Dec. 25
3930 Danger Ahead—Renfrew No. 4 (60 min.) Jan. 10
3918 The Secret Four—Lee-Lawton Jan. 15
3907 Fatal Hour—Karloff No. 1 Jan. 15
3922 Hidden Enemy—Hull-Linaker Jan. 20
3961 Pioneer Days—Randall (51 min.) Jan. 25
3917 Chasing Trouble—Frankie Darro Jan. 30
3924 East Side Kids—Moore-Barnett Feb. 10
3962 Cheyenne Kid—Jack Randall (49 min.) Feb. 20
3928 Murder on the Yukon—Newill (58 min.) Feb. 25
3953 Rhythm of the Rio Grande—Ritter (53 min.) Mar. 2
3916 Human Monster—Bela Lugosi Mar. 9
3921 Midnight Limited—King-Reynolds (61m.) Mar. 20
Son of the Navy—Parker-Spellman Mar. 30
Tomboy—Jack Moran-Marcia Mae Jones Apr. 5
Covered Wagon Trails—Randall Apr. 10
Terror of the Sky—James Newill Apr. 15
Pals of the Silver Sage—Ritter Apr. 20
Missing People—Will Fyffe Apr. 30
Cowboy from Sundown—Ritter May 2

Paramount Features

(1501 Broadway, New York, N. Y.)

3924 Seventeen—Cooper-Field-Kruger Mar. 1
3957 Showdown—William Boyd (64 min.) Mar. 8
3925 Women Without Names—Drew-Paige Mar. 15
3926 Road to Singapore—Crosby-Lamour-Hope Mar. 22
3927 The Farmer's Daughter—Raye-Ruggles Mar. 29
3928 Adventure in Diamonds—Brent-Miranda Apr. 5
3929 Dr. Cyclops—Dekker-Logan-Coley Apr. 12
3930 French Without Tears—Drew-Milland Apr. 19
3931 The Biscuit Eater—Lee-Hickman-Millard Apr. 26
3932 Buck Benny Rides Again—Jack Benny May 3
3933 Opened by Mistake—Ruggles-Logan-Paige May 10
3934 Typhoon—Lamour-Preston-Overman May 17
3935 The Light of the Western Stars—Jory May 24
The Way of All Flesh—Tamiroff-George May 31

Republic Features

(1776 Broadway, New York, N. Y.)

919 Village Barn Dance—Cromwell-Day Jan. 30
964 Pioneers of the West—Three Mesq. (57m.) Mar. 12
920 Forgotten Girls—Platt-Woods-Gibson Mar. 15
942 Rancho Grande—Autry (68 min.) Mar. 22
991 Ghost Valley Raiders—Barry (68 min.) Mar. 26

RKO Features

(1270 Sixth Ave., New York, N. Y.)

019 Swiss Family Robinson—Mitchell-Best Feb. 16
091 Pinocchio—feature cartoon Feb. 23
020 Little Orvie—Sheffield-Truex-Tree Mar. 1
017 Isle of Destiny—Gargan-Lang-Ford Mar. 8
022 Millionaire Playboy—Joe Penner Mar. 15
023 Primrose Path—Rogers-McCrea-Rambeau Mar. 22
030 Courageous Dr. Christian—Hersholt Apr. 5
083 Bullet Code—George O'Brien Apr. 5

Twentieth Century-Fox Features

(444 W. 56th St., New York, N. Y.)

033 They Came by Night—Fyffe-Hulme Feb. 23
035 Charlie Chan in Panama—Toler-Rogers (re.) Mar. 1
No release set for Mar. 8
040 The Grapes of Wrath—Fonda-Darwell Mar. 15
025 The Blue Bird—Temple-Byington-Jason Mar. 22
037 Free, Blonde and 21 (For Women Only)—
Bari-Davis-Wilcoxon Mar. 29
036 Star Dust—Darnell-Payne-Young Apr. 5
039 Viva Cisco Kid (The Cisco Kid in Chicago)—
Romero-Rogers Apr. 12
042 Johnny Apollo—Power-Lamour-Arnold Apr. 19
041 Shooting High—Withers-Autry Apr. 26
(034 "Earthbound," listed in the last Index as a March 1
release, and 038 "I Was an Adventuress," listed as an April
5 release, have been postponed)

United Artists Features

(729 Seventh Ave., New York, N. Y.)

My Son, My Son—M. Carroll-Aherne-Hayward Mar. 22
Over the Moon—Oberon-Harrison Mar. 29
1,000,000 B.C.—Chaney, Jr.-Landis Apr. 5
Rebecca—Joan Fontaine-Laurence Olivier Apr. 12
Saps at Sea—Laurel-Hardy Apr. 19
Turnabout—John Hubbard-Carol Landis May 17

Universal Features

(1250 Sixth Ave., New York, N. Y.)

4054 Man from Montreal—Arlen-Devine-Sutton Dec. 8
4028 Missing Evidence—Foster-Hervey Dec. 15
4011 Charlie McCarthy, Detective—Bergen Dec. 22
4002 Destry Rides Again—Dietrich-Stewart Dec. 29
4021 Oh, Johnny, How You Can Love—
Brown-Moran Jan. 5
4009 The Invisible Man Returns—Hardwicke Jan. 12
4061 West of Carson City—Brown (55 min.) Jan. 19
4041 Green Hell—Fairbanks, Jr.-J. Bennett Jan. 26
4055 Danger on Wheels—Arlen-Devine Feb. 2
4004 My Little Chickadee—Fields-West Feb. 9
4038 Honeymoon Deferred—Lowe-Lindsay Feb. 16
4032 Framed—Cowan-Moore-Albertson Feb. 23
4034 Double Alibi—Morris-Lindsay Mar. 1
4025 Zanzibar—Craig-Lane Mar. 8
4022 Ma! He's Making Eyes at Me!—
Brown-Moore Mar. 15
4001 It's a Date—Durbin-Francis-Pidgeon Mar. 22
4040 Half a Sinner—Angel-King Apr. 5
4062 Riders of Pasco Basin—Brown (56 min.) Apr. 5
Black Friday—Karloff-Ridges-Nagel Apr. 12
House of Seven Gables—Lindsay-Sanders Apr. 12
4033 Enemy Agent—Cromwell-Vinson Apr. 19
If I Had My Way—Crosby-Jean Apr. 26
Ski Patrol—Desti-Dorn May 3

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

415 A Child Is Born—Fitzgerald-Lynn-George Jan. 6
406 Brother Rat and a Baby—Lane-Bryan-Morris Jan. 13
416 British Intelligence—Karloff-Lindsay Jan. 20
420 Calling Philo Vance—Stephenson-O'Neill Feb. 3
421 Granny Get Your Gun—Robson (re.) Feb. 10
Virginia City—Flynn-Hopkins-Scott Mar. 23
It All Came True—Sheridan-Lynn-Bogart Apr. 6
Gambling on the High Seas—Morris-Wyman Apr. 13

SHORT SUBJECT RELEASE SCHEDULE

Columbia—One Reel

1803 Skiing Technique—World of Sport (9m.) Jan. 19
1703 The Mouse Exterminator—Phantasy (6½m.) Jan. 26
1972 Threads of a Nation—Cinescope (11m.) (re.) Feb. 9
1555 New Hampshire—Tours (11m.) (re.) Feb. 9
1507 The Happy Tot's Expedition—
Color Rhapsody (6½ min.) Feb. 9
1903 Inside the Federal Bureau of Investigation—
Washington Parade (10½ min.) Feb. 9
1804 Flying Targets—World of Sport (10m.) Feb. 22
1855 Screen Snapshots No. 5—(10m.) (re.) Feb. 23
1704 The Man of Tin—Phantasy (6m.) Feb. 23
1556 Unveiling Algeria—Tours (9½m.) Mar. 1
1805 Roughhouse Fiesta—World of Sport (10m.) Mar. 8
1973 Fashion Takes a Holiday—Cinescope Mar. 8
1508 Blackboard Revue—Col. Rhaps. (7m.) Mar. 15
1856 Screen Snapshots No. 6—(10m.) (re.) Mar. 29
1753 Practice Makes Perfect—Fables (6m.) Apr. 5
1509 Greyhound and the Rabbit—Col. Rhaps. Apr. 19
1806 Catch of the Season—World of Sport Apr. 19
1656 Community Sing No. 6 (reset) May 3
1557 Pleasurebound in Canada—Tours May 3
1705 News Oddities—Phantasy May 10
1510 Egg Hunt—Color Rhapsody May 31
1754 Barnyard Babies—Fables (7½m.) June 14
(1657 "Community Sing No. 7," listed in the last Index as
a March 15 release, has been postponed)

Columbia—Two Reels

1428 Nothing But Pleasure—Keaton (17m.) Jan. 5
 1141 The Doomed City—Shadow #1 (31m.) Jan. 5
 1142 The Shadow Attacks—Shadow #2 (20½m.) Jan. 12
 1404 You Nasty Spy—Three Stooges (18m.) Jan. 19
 1143 The Shadow's Peril—Shadow #3 (21m.) Jan. 19
 1144 In the Tiger's Lair—Shadow #4 (18m.) Jan. 26
 1145 Danger Above—Shadow #5 (19m.) Feb. 2
 1429 Mr. Clyde Goes to B'way—Clyde (16½m.) Feb. 2
 1146 The Shadow's Trap—Shadow #6 (18m.) Feb. 9
 1147 Where Horror Waits—Shadow #7 (16m.) Feb. 16
 1430 The Heckler—Chase (17½m.) Feb. 16
 1148 The Shadow Rides the Rails—
 Shadow #8 (18 min.) Feb. 23
 1149 The Devil in White—Shadow #9 (19m.) Mar. 1
 1150 The Underground Trap—Shad. #10 (18m.) Mar. 8
 1405 Rocking Through the Rockies—Stooges
 (17½ min.) Mar. 8
 1151 Chinatown Night—Shadow #11 (18m.) Mar. 15
 1152 Murder by Remote Control—Shadow #12
 (18 min.) Mar. 22
 1431 Pardon My Birthmarks—Keaton (18m.) Mar. 22
 1153 Wheels of Death—Shadow #13 (18m.) Mar. 29
 1154 The Sealed Room—Shadow #14 (16m.) Apr. 5
 1432 Money Squawks—Clyde (17m.) Apr. 5
 1155 The Shadow's Net Closes—Shadow #15
 (17 min.) Apr. 12
 1406 A Plumbing We Will Go—Stooges (17½m.) Apr. 19
 1433 Taming the Snood—All Star comedy May 3
 1434 South of the Boudoir—Chase (18m.) May 17

Metro-Goldwyn-Mayer—One Reel

S-105 What's Your I.Q.?—Pete Smith (7½m.) Feb. 10
 W-84 Puss Gets the Boot—Cartoons (9m.) Feb. 10
 X-80 Northward Ho!—Miniatures (9m.) Feb. 10
 T-58 Seattle, Gateway to the Northwest—
 Traveltalks (9 min.) Feb. 17
 F-144 Home Movies—Benchley (7m.) Feb. 17
 S-106 Stuffie—Pete Smith (11m.) Mar. 2
 M-78 A Door Will Open—Miniatures (11m.) Mar. 9
 C-135 The Big Premiere—Our Gang (10m.) Mar. 9
 T-59 Calling on Colombia—Traveltalks (8m.) Mar. 16
 K-122 XXX Medico—Passing Parade (10m.) Mar. 23
 W-85 Home on the Range—Cartoons Mar. 23
 S-107 The Domineering Male—P. Smith (10m.) Mar. 30
 C-136 All About Hash—Our Gang (10½m.) Mar. 30
 T-60 Sitka and Juneau—Traveltalks Apr. 13

Metro-Goldwyn-Mayer—Two Reels

P-2 Know Your Money—Crime Doesn't Pay
 (21 min.) Jan. 27
 P-3 Jack Pot—Crime Doesn't Pay (19m.) Mar. 9

Paramount—One Reel

L9-3 Unusual Occupations #3—(10m.) Jan. 19
 R9-7 Bowling Skill—Sportlight (9m.) Jan. 26
 A9-6 Jimmy Dorsey and His Orchestra—
 Headliner (10½ min.) Feb. 2
 C9-2 Little Lambkin—Color Classic (6m.) Feb. 2
 B9-1 Way Back When a Triangle Had Its
 Points—Stone Age (7½ min.) (reset) Feb. 9
 K9-5 Isle of Columbus—Color Cruise (9m.) Feb. 16
 V9-6 Paramount Pictorial—(10½m.) Feb. 16
 J9-4 Popular Science #4—(10m.) Feb. 16
 R9-8 Human Fish—Sportlight (9½m.) Feb. 23
 A9-7 George Olsen and His Music—
 Headliner (10½ min.) Mar. 8
 E9-3 Females Is Fickle—Popcye (6m.) (rc.) Mar. 8
 V9-7 Not So Dumb—Paragrapic (9½m.) Mar. 15
 B9-2 Way Back When a Night Club Was a
 Stick—Stone Age (reset) Mar. 15
 C9-3 Ants in the Plants (Busy Little Ants)—
 Color Classic (reset) Mar. 15
 R9-9 Two of a Kind—Sportlight (9m.) Mar. 22
 L9-4 Unusual Occupations #4 Mar. 22
 E9-4 Stealin' Ain't Honest—Popeye (6m.) Mar. 29
 B9-3 Way Back When a Nag Was Only a
 Horse—Stone Age Apr. 5
 K9-6 Argentina—Color Cruise Apr. 5

RKO—One Reel

04603 American Royal—Reelism (9m.) Nov. 10
 04304 Winter Playground—Sportscope (9m.) Nov. 24
 04204 Information Please—(11m.) Dec. 1
 04604 West Wall—Reelism (10m.) Dec. 8
 04305 Sky Game—Sportscope (9m.) Dec. 22
 04205 Information Please—(10m.) Dec. 29
 04605 Men of Muscle—Reelisms (9m.) Jan. 5
 04306 Aqua Poise—Sportscope (9m.) Jan. 19
 04206 Information Please—(11m.) (re.) Jan. 26
 04606 Vacation Diary—Reelisms (10m.) Feb. 2
 04307 Pennant Chasers—Sportscope (9m.) Feb. 16
 04207 Information Please—(11m.) Feb. 23
 04607 Navajo Land—Reelisms (10m.) Mar. 1
 04102 The Riveter—Disney cartoon (7m.) Mar. 15
 04308 Flycasting—Sportscope (9m.) Mar. 15
 04208 Information Please—(10m.) Mar. 22
 04608 Siege—Reelisms (10m.) Mar. 29
 04103 Donald's Dog Laundry—Disney (8m.) Apr. 5

RKO—Two Reels

03502 Bandits and Ballads—Whitley (17m.) Dec. 29
 03203 Chicken Feed—Radio Flash (18m.) Jan. 19
 03106 March of Time No. 6—(18m.) Jan. 19
 03403 Slightly at Sea—Kennedy (16m.) Feb. 9
 03107 March of Time #7—(18m.) Feb. 16
 03703 Scrappily Married—Leon Errol (20m.) Mar. 1
 03108 March of Time #8—(18m.) Mar. 15
 03503 Molly Cures a Cowboy—Whitley (19m.) Mar. 22
 03109 March of Time #9 Apr. 12
 03204 Twincuplets—Radio Flash (20m.) Apr. 12
 03404 Mutiny in the County—Kennedy (17m.) May 3

Twentieth Century-Fox—One Reel

0302 Clocking the Jockeys—Sports (11m.) Nov. 24
 0505 The Hitch-Hiker—Terry-Toon (7m.) Dec. 1
 0203 Sky Fighters—Adv. News Camera. (11m.) Dec. 8
 0506 The Ice Pond—Terry-Toon (7m.) Dec. 15
 0602 Fashion Forecasts No. 6—(10m.) Dec. 22
 0555 The First Robin—Terry-Toon (7m.) Dec. 29
 0402 The Silly Season—Lew Lehr (10m.) Jan. 5
 0507 A Dog in a Mansion—Terry-Toon (7m.) Jan. 12
 0303 Topnotch Tennis—Sports (10m.) Jan. 19
 0508 Edgar Runs Again—Terry-Toon (7m.) Jan. 26
 0104 The Kangaroo Country—Thomas (10m.) Feb. 2
 0556 Harvest Time—Terry-Toon (7m.) Feb. 9
 0105 The Valley of 10,000 Smokes—Father
 Hubbard and Lowell Thomas (10 min.) Feb. 16
 0509 Hare and Hounds—Terry-Toon (7m.) Feb. 23
 0304 Following the Hounds—Sports (10m.) Mar. 1
 0510 All's Well That Ends Well—T. Toon (7m.) Mar. 8
 0204 Flying Stewardess—Adv. News C. (10m.) Mar. 15
 0557 Much Ado About Nothing—T. Toon (7m.) Mar. 22
 0603 Fashion Forecast No. 7 (9m.) Mar. 29
 0511 It Must Be Love—Terry-Toon Apr. 5
 0403 Labor Savers—Lew Lehr (9m.) Apr. 12
 0558 Just a Little Bull—Terry-Toon Apr. 19
 0305 Over the Seven Seas—Sports (10m.) Apr. 26
 0512 Wot's All Th' Shootin' Fer—T. Toon May 3
 0107 Climbing the Spirit's Home—Father
 Hubbard with Lowell Thomas May 10

Universal—One Reel

4377 Stranger Than Fiction #72—(8½m.) Jan. 29
 4357 Going Places with Thomas #72—(9m.) Feb. 5
 4266 Kittens Mittens—Lantz cart. (8m.) Feb. 12
 4378 Stranger Than Fiction #73—(9m.) Feb. 19
 4358 Going Places with Thomas #73—(8m.) Feb. 26
 4267 Adventures of Tom Thumb, Jr. (Tom
 Thumb, Jr.)—Lantz cart. (9 min.) Mar. 4
 4379 Stranger Than Fiction #74—(8½m.) Mar. 11
 4359 Going Places with Thomas #74—(9m.) Mar. 18
 4380 Stranger Than Fiction #75 Apr. 15
 4268 Not Yet Titled—Lantz cartoon Apr. 22
 4360 Going Places with Thomas #75 Apr. 29
 4381 Stranger Than Fiction #76 May 6
 4361 Going Places with Thomas #76 May 13

Universal—Two Reels

4690 Phantom Footprints—Phan. No. 10 (19m.) ... Dec. 19
4691 The Blast—Phantom No. 11 (20m.) Dec. 26
4692 To Destroy the World—Phan. No. 12 (18m.) Jan. 2
4781 The Tunnel of Terror—Green Hornet
 No. 1 (21m.) Jan. 9
4782 Thundering Terror—Hornet No. 2 (21m.) .. Jan. 16
4225 Rhythm Jamboree—musical (20m.).....Jan. 17
4783 Flying Coffins—Hornet No. 3 (21m.)Jan. 23
4784 Pillar of Flame—Hornet No. 4 (19m.)Jan. 30
4785 The Time Bomb—Hornet No. 5 (20m.).....Feb. 6
4786 Highways of Peril—Hornet No. 6 (21m.) ...Feb. 13
4226 Bullets and Ballads—musical (17½m.)Feb. 14
4787 Bridge of Disaster—Hornet No. 7 (21m.) ...Feb. 20
4788 Dead or Alive—Hornet No. 8 (19m.)Feb. 27
4789 The Hornet Trapped—Hornet No. 9 (19m.) .Mar. 5
4790 Bullets and Ballots—Hornet No. 10 (18m.) ..Mar. 12
4227 International Revels—musical (17m.)Mar. 13
4791 Disaster Rides the Rails—Hornet No. 11
 (19 min.)Mar. 19
4792 Panic in the Zoo—Hornet No. 12 (20m.)Mar. 26
4793 Doom of the Underworld—Hornet No. 13
 (20 min.)Apr. 2
4881 The Purple Death—Flash Gordon Conquers
 the Universe #1 (20 min.)Apr. 9
4882 Freezing Torture—Gordon #2 (21m.).....Apr. 16
 Follies Parisienne—musicalApr. 17
4883 Walking Bombs—Gordon #3 (21m.)Apr. 23
4884 The Destroying Ray—Gordon #4 (19m.)....Apr. 30

Vitaphone—One Reel

5605 Porky the Giant Killer—Looney T. (8m.)...Nov. 18
5307 Sniffles and Bookworm—Mer. Mel. (8m.) ...Dec. 2
5403 Mechanix Illustrated #2—Col. Par. (9m.) ...Dec. 2
5308 Screwball Football—Mer. Mel. (8m.)Dec. 16
5606 The Film Fan—Looney Tunes (7m.)Dec. 16
5309 Curious Puppy—Mer. Mel. (7½m.)Dec. 30
5504 Artie Shaw & Orch.—Mer. Mast. (9m.)Dec. 30
5404 New Horizons—Color Parade (7½m.)Jan. 6
5607 Porky's Last Stand—L. Tunes (6½m.)Jan. 6
5310 Early Worm Gets Bird—Mer. Mel. (8½m.)...Jan. 13
5703 An Organ Novelty—Varieties (9m.)Jan. 13
5608 Africa Squeaks—Looney Tunes (7m.)Jan. 27
5311 Mighty Hunters—Merrie Mel. (8½m.)Jan. 27
5312 Busy Bakers—Merrie Melodies (7m.)Feb. 10
5609 Ali Baba Bound—Looney Tunes (7m.)Feb. 10
5405 Mechanix Illustrated #3—(9½m.)Feb. 17
5505 The Coquettes—Mer. Master (9m.)Feb. 17
5313 Elmer's Candid Camera—Mer. Mel. (7½m.)...Mar. 2
5506 Dave Apollon and Orch.—Mer. Mast. (11m.)...Mar. 2
5610 Pilgrim Porky—Looney Tunes (7m.)Mar. 16
5314 Cross-Country Detours—Mer. Mel. (9½m.)...Mar. 16
5406 Men Wanted—Color Parade (9m.)Mar. 23
5507 Carl Hoff and Orch.—Mer. Mast. (10m.) ...Mar. 23
5611 Slap Happy Pappy—Looney Tunes (7m.)...Mar. 30
5315 Confederate Money—Mer. Mel. (8m.)Mar. 30
5704 No Parking—Varieties (10m.)Apr. 13

Vitaphone—Two Reels

5002 Royal Rodeo—Technicolor (15m.)Nov. 25
5104 World's Fair, Jr.—Bway. Brev. (20m.)Dec. 9
5003 Old Hickory—Technicolor (17m.)Dec. 23
5101 Remember When—Bway. Brev. (18m.)Jan. 20
5105 One for the Book—Bway. Brev. (18m.)Feb. 3
5004 Teddy the Roughrider—Tech. (19m.).....Feb. 24
5106 Alex in Wonderland—Brevities (13m.) ...Mar. 9

NEWSWEEKLY NEW YORK RELEASE DATES

Universal

865 Wednesday ..Apr. 10
866 FridayApr. 12
867 Wednesday ..Apr. 17
868 FridayApr. 19
869 Wednesday ..Apr. 24
870 FridayApr. 26
871 Wednesday ..May 1
872 FridayMay 3
873 Wednesday ..May 8
874 FridayMay 10
875 Wednesday ..May 15
876 FridayMay 17

Metrotone News

244 Thursday ...Feb. 15
245 TuesdayFeb. 20
246 Thursday ...Feb. 22
247 TuesdayFeb. 27
248 Thursday ...Feb. 29
249 TuesdayMar. 5
250 Thursday ...Mar. 7
251 TuesdayMar. 12
252 Thursday ...Mar. 14
253 TuesdayMar. 19
254 Thursday ...Mar. 21
255 TuesdayMar. 26
256 Thursday ...Mar. 28
257 TuesdayApr. 2
258 Thursday ...Apr. 4
259 TuesdayApr. 9
260 Thursday ...Apr. 11
261 TuesdayApr. 16
262 Thursday ...Apr. 18
263 TuesdayApr. 23
264 Thursday ...Apr. 25
265 TuesdayApr. 30
266 Thursday ...May 2
267 TuesdayMay 7
268 Thursday ...May 9
269 TuesdayMay 14
270 Thursday ...May 16

Fox Movietone

58 SaturdayMar. 30
59 Wednesday ..Apr. 3
60 SaturdayApr. 6
61 Wednesday ..Apr. 10
62 SaturdayApr. 13
63 Wednesday ..Apr. 17
64 SaturdayApr. 20
65 Wednesday ..Apr. 24
66 SaturdayApr. 27
67 Wednesday ..May 1
68 SaturdayMay 4
69 Wednesday ..May 8
70 SaturdayMay 11
71 Wednesday ..May 15
72 SaturdayMay 18

Pathé News

05266 Wed. (E.)...Mar. 6
05167 Sat. (O.)...Mar. 9
05268 Wed (E.)...Mar. 13
05169 Sat. (O.)...Mar. 16
05270 Wed. (E.)...Mar. 20
05171 Sat. (O.)...Mar. 23
05272 Wed. (E.)...Mar. 27
05173 Sat. (O.)...Mar. 30
05274 Wed. (E.)...Apr. 3
05175 Sat. (O.)...Apr. 6
05276 Wed. (E.)...Apr. 10
05177 Sat. (O.)...Apr. 13
05278 Wed. (E.)...Apr. 17
05179 Sat. (O.)...Apr. 20
05280 Wed. (E.)...Apr. 24
05181 Sat. (O.)...Apr. 27
05282 Wed. (E.)...May 1
05183 Sat. (O.)...May 4
05284 Wed. (E.)...May 8
05185 Sat. (O.)...May 11
05286 Wed. (E.)...May 15
05187 Sat. (O.)...May 18

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No. 15

PECULIAR REASONING

The March 16 issue of *Boxoffice* prints a letter from Mr. Abram F. Myers, Allied spokesman, in which the arguments of the opponents of the bill are shattered beyond repair.

Red Kann, who invited Mr. Myers to present the Allied side of the Neely Bill, admits that Mr. Myers' presentation of the facts are able, but Mr. Kann says that "it will come as no surprise to him [Mr. Myers], of course, that this page's twice-emphasized opinion remains unwaveringly on its pins." In other words, Mr. Kann says to Mr. Myers and to all the proponents of the Neely Bill that, no matter how powerful are their arguments in proof that the Neely Bill will benefit the industry, he still stands by his twice-expressed editorial opinions that the Neely Bill is not good for the industry.

Read the arguments by which he attempts to sustain his position:

"Decidedly," says he, "it is not sufficient to seek to dismiss the broader potentialities of the synopsis clause by saying it is simply a measure allowing independent exhibitors to select their product and has no seeds of censorship in it. Those seeds appear present, dangerously so, because the synopsis route could establish a pre-censorship predicated on future deliveries when the deliveries, submitted to no such influence, themselves might be as pure and as unobjectionable as the driven snow. Along this path of travel, narrow and special interests might be furnished a well-rounded opportunity to pressure their dislikes into oblivion and their likes into being by making it hot in either direction for the men who run theatres."

It is well to present such arguments orally, because it is hard for the hearers to analyze them minutely, partly because there is usually a dispute as to what the speaker had exactly said, and he can get away with weak arguments; but when such arguments are put into print the readers are given an opportunity to study them and to know how hollow they are. Kann says that, regardless of Myers' arguments that there are no censorship features in the Neely Bill, in his opinion there are, and attempts to prove it, not by what *would* happen if the Neely Bill became a law, but by what *might* happen. Pressure, he says, *might* be used to induce the exhibitors to reject the stories outsiders might dislike, and to impose on them the stories they like.

Mr. Myers answers this in the following manner: "But the most glaring of all contradictions is the claim, embodied in your [Kann's] editorial, 'Deep in the Core,' that a measure to allow independent exhibitors to select their product has in it the seeds of censorship. This can be true only in the sense that the public, having a free choice as to the clothes it will wear, censors the styles. I am against censorship, but not to the extent that, having the choice, I will buy something I don't want lest I

discourage the manufacturer from making that product. And certainly I will not interfere with the right of my neighbor, who happens to like that product, to buy it. Most of all, I do not want the manufacturer—or the dealer—to tell me that I must buy what I don't want in order to get what I do. For that is coercion, the base element from which censorship and other forms of oppression are derived." Mr. Myers then proceeds to show how groundless are the fears that outside groups will high-pressure the exhibitors.

The opening paragraph of Mr. Myers' letter shatters the opponents' arguments. He says:

"The opponents of the Neely Bill are lost in a maze of contradictions. They say that the bill, as written, will inflict great hardship on the producer-distributor, but instead of limiting the discussion to the provisions of the bill, they describe hardships of measures which the bill does not require. They claim that compulsory block booking is not practiced and, in the same breath, say it is necessary to force the showing of so-called experimental pictures. They are trying to persuade independent exhibitors that the bill will be bad for them when its main purpose is to enable them to enjoy the same privileges in the selection of films that are accorded the circuits. And they assert that the effect of the bill will be to curtail production and reduce employment, whereas independent producers are on record that abolition of compulsory block booking will increase production and cause the re-employment of hundreds of idle studio workers."

The whole argument is centered on whether it is or it is not good for the motion picture industry if the seller were to be compelled by law to deliver to the buyer the goods in accordance with specifications. There are in the statute books of every state laws that compel the sellers to do that. What is wrong, then, with a law compelling the producer to give to the exhibitor specifications of the pictures that he intends to deliver? The Neely Bill does not cover quality; it covers merely facts. What is wrong with that?

PICTURES NOW IN PRODUCTION

Warner-First National

"THE SEA HAWK," with Errol Flynn, Brenda Marshall, Claude Rains, Flora Robson, Alan Hale, Lucille Fairbanks, Una O'Connor, Donald Crisp, Montague Love, Gilbert Roland, J. M. Kerrigan, Ian Keith, and others, produced by Henry Blanke and directed by Michael Curtiz. This picture was produced by First National in 1924, with Milton Sills. It was one of the big pictures of that year, and made a great box office success. The story, the Rafael Sabatini novel, deals with buccaneers, and is full of action and suspense. It is

(Continued on last page)

**"King of the Lumberjacks" with
John Payne, Gloria Dickson
and Stanley Fields**

(Warner Bros., April 13; time, 58 min.)

This is an ordinary program melodrama. The story lacks novelty, and it is developed in so trite a manner that the spectator knows in advance just what is going to happen. Although it is supposed to be a virile outdoor melodrama, with the lumber country as its background, the action is confined mostly to the personal affairs of the three leading characters. The only "punch" in the picture is the part that shows hero and heroine trapped in a runaway log train; but this situation is almost identical to the one that appeared in "Valley of the Giants." One feels little sympathy for the characters:—

John Payne arrives at the northern timber country, looking for a job. He gets one with the crew headed by Stanley Fields, a good-natured but slightly stupid foreman. Fields takes Payne under his wing and they become good friends. After finishing a hard job, the crew goes into town. Payne leaves for San Francisco, promising Fields that he would return. While Payne is away, Fields becomes attracted to Gloria Dickson, an entertainer stranded in the town. During a fight with a cafe owner who had insulted Miss Dickson, Fields receives a shot in his arm; the doctor is forced to amputate the arm. But Fields is not sorry, since Miss Dickson had promised to marry him. Payne returns on the night of the marriage and is shocked to find that Fields had married the girl with whom he was in love. He had gone to San Francisco in search of her, and had returned disappointed. Although Payne and Miss Dickson still loved each other, they decide not to betray Fields. But Fields eventually learns the truth and believes the worst. He knocks Payne out and puts him in a log train, disconnecting it from the engine. Miss Dickson enters the train just before it started running away. Fields, remorseful, heads off the train, and is able to stop it just before it reaches a washed out bridge. He then leaves for Reno for a divorce.

Robert E. Kent wrote the story, and Crane Wilbur, the screen play; William Clements directed it, and Bryan Foy produced it. In the cast are Joe Sawyer, Victor Kilian, Earl Dwire, and others.

Suitability, Class A.

**"Star Dust" with Linda Darnell
and John Payne**

(20th Century-Fox, April 5; time, 84 min.)

Fair good entertainment. The story is just another variation on the girl-makes-good-in-Hollywood theme. But it has been produced well, and it is performed pleasantly by a competent cast. One is in sympathy with the young heroine, who meets with many disappointments before getting her chance. There is some comedy, a few songs, and a pleasant romance:—

Roland Young, talent scout for a Hollywood studio, discovers Linda Darnell, a young college student, in a small town. She is eager to go into pictures. But when he learns that she was the daughter of his former sweetheart, he refuses to help her get to Hollywood, for he felt that she was too young for a career. Unknown to him, she sends her picture to William Gargan, studio head, attached to a letter of recommendation to which she signs Young's name. It brings results, and she is

called to Hollywood for a screen-test. Young forgives her and tries to help her. But she comes up against Donald Meek, studio manager, who was jealous of Young's ability to pick stars. Meek was eager to give the leading part in a new picture to a young girl he had under his wing. Meek tells Gargan that Miss Darnell's screen tests were so poor that he would not even bother showing him the results. But Young and Charlotte Greenwood, dramatic coach at the studio, outwit Meek and show the tests to Gargan. He is so impressed that he engages Miss Darnell for the leading part; and he discharges Meek. Miss Darnell makes good. She falls in love with John Payne, whose career in pictures was interrupted by the fact that each time he had an appointment for a screen test he would accidentally break his nose.

Jesse Malo, Kenneth Earl and Ivan Kahn wrote the story, and Robert Ellis and Helen Logan, the screen play; Walter Lang directed it, and Kenneth Macgowan produced it. In the cast are Mary Beth Hughes, Mary Healy, and others.

Suitability, Class A.

**"Son of the Navy" with James Dunn,
Jean Parker and Martin Spellman**

(Monogram, March 30; time, 71 min.)

A good program comedy, with human interest. The story is simple, but a little different; it should entertain an average audience well. Most of the laughter is provoked by the predicaments in which James Dunn finds himself, as a result of the methods a young orphan boy employs to induce Dunn to adopt him. A pleasant romance, resulting from Dunn's interest in the boy, rounds out the plot:—

Ten year old Martin Spellman runs away from an orphanage in an effort to find himself a mother and a father. While hitch-hiking, he meets Dunn, a chief petty officer in the U. S. Navy, who was frantically trying to get a lift to his ship; he had spent all his money while on leave and did not have enough left for carfare. Spellman suggests that they pose as father and son and pretend that Spellman was ill. The trick works; they are picked up by Jean Parker, whose father was in the Navy. She is amazed at Dunn's casualness in leaving Spellman. On questioning the boy, and learning from him that he had no home, she is enraged to think that a father could so mistreat a son. She asks her father to do something about the matter. When Dunn is confronted by his commanding officer, he denies the parentage attached to him, and insists that he had met the boy but once. But no one believes him, and upon threat of dismissal, he is compelled to take the boy to his home. When he hears that the boy was an orphan, he feels sorry for him and decides to keep him for a while. Miss Parker keeps after him; she and Dunn quarrel each time they meet. But an investigation of the matter by officers of the law eventually brings out the truth. By this time both Dunn and Miss Parker were too fond of Martin to let him go; and, since they had fallen in love with each other, they decide to marry and adopt the boy.

True Boardman and Grover Jones wrote the story, and Marion Orth and Joseph West, the screen play; William Nigh directed it, and Grant Withers produced it. In the cast are William Royle, Gene Morgan, Craig Reynolds, and others.

Suitability, Class A.

"Enemy Agent" with Richard Cromwell and Helen Vinson

(Universal, April 19; time, 61 min.)

A fair program espionage melodrama. The plot is familiar and, as in most pictures of this type, slightly far-fetched. Yet it has some ingredients for mass appeal, such as fast action and suspense, as well as an incidental romance. Moreover one is in sympathy with the hero, who, although innocent, is suspected of carrying on espionage work. The closing scenes are fairly exciting:—

Richard Cromwell, who worked for an aeroplane factory engaged in manufacturing a new type bomber, is suspected of working with a spy ring, because the plans on which he had been working had been stolen. One of his co-workers was really the guilty man. When this man hears that a federal investigator was about to examine the men's lockers, he puts his miniature camera, which was enclosed in a watch, in Cromwell's locker. Cromwell is arrested. Marjorie Reynolds, a waitress at a cafe near the aeroplane factory, has faith in him, and promises to help him. Since the authorities could learn nothing from Cromwell, they release him. Cromwell finds it impossible to obtain a position anywhere. The man who had been responsible for Cromwell's arrest, working under orders from the head of a spy ring, tries to induce Cromwell to accept a position out of town. Cromwell, following a clue, comes upon valuable information; he is caught by the gang, and taken to the chief's home. But, due to the clever work of Helen Vinson, a government agent, the guilty men are apprehended and Cromwell is cleared. He is taken back at his old position and marries Miss Reynolds.

Sam Robins wrote the story, and he and Edmund I. Hartman, the screen play; Lew Landers directed it, and Ben Pivar produced it. In the cast are Jack Arnold, Abner Biberman, Jack LaRue, Bradley Page, and others.

Suitability, Class A.

"Beyond Tomorrow" with Charles Winninger, Richard Carlson and Jean Parker

(RKO, April 19; time, 84 min.)

Although this comedy-melodrama has been produced well and directed with skill, it may be limited in its appeal, for the reason that, during the second half, the action deals with three dead characters who remain on earth so as to help a young couple they were fond of. It is seldom that patrons enjoy pictures dealing with after-life, even though, as in this case, it is not depressing—death is shown here as being a pleasant experience, bringing happiness to deserving characters. The first half is, however, entertaining, for it has comedy and deep human interest. And the leading characters are appealing. There is a pleasant romance:—

Three wealthy partners (Charles Winninger, Harry Carey, and C. Aubrey Smith), who lived in a large house together, take an interest in Jean Parker and Richard Carlson. These two young persons had shown their honesty by returning wallets belonging to the three partners, which they had found in the street; Winninger had purposely placed them there in the hope that they would be returned so as to prove to Carey that there were some honest persons in the world. Miss Parker and Carlson, who had been unknown to each other until they had met at the wealthy home, fall in love.

They and the three men become very good friends. The three partners leave on a plane for an important business meeting. The plane crashes and they are killed. But, unseen by living persons, they remain on earth, hoping to help the young couple through their difficulties. The publicity that follows the death of the three partners and their friendship with the young couple helps Carlson get a hearing as a singer on the radio, and he makes good. He becomes acquainted with Helen Vinson, a star, and is fascinated by her; he neglects Miss Parker. Smith and Carey are called to heaven, but Winninger, when he receives his call, refuses to go until he could adjust things. Carlson and Miss Vinson go off in the country for a week-end; her ex-husband arrives there in a drunken state and shoots them both. For a time it looked as if Carlson would die; as a matter of fact he met Winninger and they had a talk during which he expressed his regrets for having acted foolishly. Winninger's pleas to the Almighty to spare Carlson are heard, and Carlson recovers.

Mildred Cram and Adele Comandini wrote the story, and Miss Comandini, the screen play; A. Edward Sutherland directed it, and Lee Garmes produced it. In the cast are Maria Ouspenskaya, and others.

Suitability, Class A.

"And One Was Beautiful" with Laraine Day, Robert Cummings and Jean Muir

(MGM, April 5; running time, 69 min.)

A fair program drama. Although the production is lavish and the performances are good, it lacks strong box-office names. The story is not particularly pleasant, for it revolves around the conflict between two sisters, due to the cowardly actions on the part of one. Even the romance is complicated, for both sisters love the same man:—

Jean Muir, who was driving the car owned by millionaire Robert Cummings, who was in the car but was too drunk to drive, knocks down and kills a man. Terrified, she runs away, leaving Cummings to take the blame. Cummings is arrested, tried, and sentenced to five years' imprisonment. Laraine Day, Miss Muir's younger sister, who loved Cummings, discovers that Miss Muir was the guilty person. She tells Cummings about it and asks him what to do; but he tells her not to say anything, for he preferred to do the prison term rather than involve Miss Muir. Anyway he felt that he, too, was guilty because he had been drunk. Miss Day taunts her sister for her cowardice. Finally, in order to get away from everything, Miss Muir marries and leaves with her husband for South America. Eventually she returns, and later obtains a divorce; she imagined that Cummings still loved her and would marry her. Although it was Miss Day who had been responsible for Cummings' eventual parole, Miss Muir takes the credit for it. But the devotion Miss Day had shown Cummings makes him realize that he loved her and not Miss Muir. And so he marries her.

Alice Duer Miller wrote the story, and Harry Clark, the screen play; Robert Sinclair directed it, and Frederick Stephani produced it. In the cast are Billie Burke, Ann Morriss, Esther Dale, Charles Waldron, and others.

The excessive drinking makes it unsuitable for children. Good for adolescents and adults. Class B.

one of the few stories that deserve remaking. With the formidable cast chosen, Producer Blanke and Director Curtiz should make a picture equal in magnitude to the old picture, and even a bigger box-office success.

"ALL THIS AND HEAVEN TOO," with Bette Davis, Charles Boyer, Jeffrey Lynn, Barbara O'Neil, Virginia Weidler, Ann Todd, June Lockhart, Fritz Leiber, Richard Nichols, and Harry Davenport, produced by David Lewis, and directed by Anatole Litvak. It is the Rachel Field powerful novel, in which the heroine, a fine woman, governess to the children of a rich French family in Paris, is accused of having caused the poisoning of the children's mother, a neurotic woman, for which murder the husband was sent to the gallows despite his protestations of innocence. The heroine comes to America, where she marries a fine young man and develops a fine family, the center of the New England elite. It is a powerful story, and will undoubtedly be interpreted with skill by Miss Davis and the other players. It should prove a very good or excellent box-office attraction.

"AN ANGEL FROM TEXAS," with Eddie Albert, Wayne Morris, Rosemary Lane, Jane Wyman, Ronald Reagan, Hobart Cavanaugh, Ruth Terry and Ann Shoemaker, produced by Robert Fellows, and directed by Ray Enright. The indications are that it will turn out to be a good program picture.

"TORRID ZONE," with James Cagney, Pat O'Brien, Ann Sheridan, Andy Devine, Jerome Cowan, George Reves and George Tobias, produced by Mark Hellinger, and directed by William Keighley. No story information is available, but the popularity of Mr. Cagney is enough to insure good box office business, with greater possibilities, depending on the quality of the story.

"FLIGHT 8," with Virginia Bruce, Wayne Morris, Ralph Bellamy, Jane Wyman, Denis Morgan, Lucille Fairbanks, DeWolf Hopper, Jane Clayton, Mary Anderson, Natalie Moorhead and others, produced by Edmund Grainger, and directed by Lew Seiler. Manifestly it will be an airplane thriller.

"BROTHER ORCHID," with Edward G. Robinson, Ann Sothern, Humphrey Bogart, Ralph Bellamy, Allen Jenkins and Donald Crisp, produced by Mark Hellinger and directed by Lloyd Bacon. Since nothing is known of the story, each exhibitor has to determine the picture's box-office value in accordance with the popularity of Mr. Robinson and of the supporting cast in his particular theatre.

REMAKES

"They Knew What They Wanted": RKO has bought the rights to this play from MGM, to be used as a starring vehicle for Carole Lombard and Charles Laughton.

This play was produced by Paramount in 1928 under the title "Secret Hour," with Pola Negri as the star; it turned out a pretty good human-interest story, for the characters acted decently. It was produced again in 1930, by Metro, under the title "A Lady to Love," with Vilma Banky and Edward G. Robinson as the stars. It was "terrible," one of the reasons being that the heroine married her elderly suitor and then had an affair with a younger man, one of the others being that there was too much talk.

Time has certainly not added any glamour or appeal to the story, and one wonders why RKO should have chosen so ordinary a plot for two such talented players as Carole Lombard and Charles Laughton, particularly since the story does not give Miss Lombard much of a chance to appear glamorous, for most of the action takes place on a farm.

In an article written by Douglas W. Churchill, in Hollywood, which appeared in the *New York Times* of March 11, the following remakes were listed:

"Dr. Jekyll and Mr. Hyde": the Robert Louis Stevenson story, to be produced by Metro-Goldwyn-Mayer, with Robert Donat in the dual role. This was produced by Paramount twice before, once in 1920, and the second time in 1932. In reviewing this picture in 1932, HARRISON'S REPORTS said partly as follows: "This has been excellently produced; it is performed artistically. . . . But the picture is demoralizing, for it shows the hero to be weak and unable to control his passions. . . . The story still retains its thrill and feeling of horror. It is morbid, and even unhealthy in theme, but it is suspensive." Since in the past eight years there have been produced many horror pictures, the novelty has worn off. In the 1932 version, the action was extremely vulgar in spots. A remake of this kind will have to depend mostly on the drawing power of Robert Donat, and partly on the fame of the book.

"Victory": the Joseph Conrad story, announced by Paramount with Fredric March as the star and John Cromwell as director. This was produced first in 1919, and then again in 1930, under the title "Dangerous Paradise," with Richard Arlen and Nancy Carroll. The last time it was made it turned out a fairly good tropical island program picture, with fast action and suspense as well as romance; but it lacked human interest. Since Fredric March has been engaged as the star, Paramount probably intends to make a big picture of it. But the story material is hardly worthy of a "big" production.

"Back Street": Universal has announced that this story will be remade in the Spring, but no stars have been mentioned. S. K. Lauren has been engaged to modernize the scenario. When it was first produced in 1932, with Irene Dunne and John Boles as the stars, it turned out excellent adult entertainment; although the theme was a delicate one, —that of a love affair between a married man and his mistress, it was handled with good taste and at no time did it become offensive. In order to make it acceptable screen fare, the same care will have to be taken in the new production. Since no stars have been mentioned, no prediction as to its box-office worth can be made.

"Flowing Gold": Warner Bros. has announced that they will remake this Rex Beach story, with John Garfield as the star. This company produced it also in 1924, with Milton Sills and Anna Q. Nilsson as the stars. It was a thrilling melodrama, packed with exciting situations, the most exciting situation coming in the closing scenes where the hero and the heroine struggle to save their lives when they are caught in a cloudburst and are carried down stream. There is plentiful human interest in the story.

This should turn out a very good melodrama, particularly since John Garfield suits the role of the hero very well; and, since the first version was made sixteen years ago, it is doubtful if any one will remember that it was made once before.

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P. S. HARRISON, Editor

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SATURDAY, APRIL 20, 1940

No. 16

THE PRODUCER PROPOSALS AND THE ALLIED ATTITUDE TOWARD THEM

Every one of you, of course, knows that Allied has received from the producers, through the Department of Justice, certain proposals for the settlement of the producer-exhibitor controversies, which proposals are to form the basis for a consent decree. If they should be accepted by Allied, it is assumed that the Department of Justice would drop the equity suit in favor of the decree.

The Allied official attitude has not become known. But enough has been printed in the trade papers to bring out the fact that the proposals are not, on the whole, acceptable to Allied. The main reason for it seems to be the fact that the producers do not commit themselves definitely to theatre divorcement, and their offer to limit the blocks of pictures to eight maximum does not seem to be satisfactory to the exhibitors.

As to the former, the Allied exhibitors feel that the producers should make a definite commitment, particularly since they are not asked to divest themselves of all their theatres, but only in the small towns and the neighborhoods of the big cities. As to the latter, they feel that, even when the blocks are limited to eight pictures maximum, they will still be compelled to buy all or none. For this reason they prefer the synopsis method of purchase, because this method makes it possible for them to buy as many pictures as they want, and only the kind of stories that will, in their opinion, make pictures suitable for their communities.

They seem to have objections also on other proposals.

Regardless of the attitude of the independent exhibitors toward the proposals, HARRISON'S REPORTS feels that these proposals offer a basis for a settlement of the inter-industry disputes, provided the producers accept divorcement of their theatre holdings in the small towns and the neighborhoods of the big cities, to begin at once with a certain percentage of theatres to be disposed of each year, and provided that they make some concession on the synopsis question. If they should modify their stand on these two points, I am sure that they should not find it difficult to get together with the exhibitors on the other objections.

The time when the agreement should be made is, of course, before the trial starts, and there is little time left between now and May 1 to make it possible for an agreement to be consummated. They have applied to the court, however, for a month's postponement. If they should obtain it against the objections of the Department of Justice, it is possible for an agreement to be effected, provided, of course, they accept the Allied exhibitors' viewpoint on the two important questions, theatre divorcement and the synopsis matter.

DOINGS IN WASHINGTON

Mr. Abram F. Myers, national Allied leader, appeared before the conference of Protestant editors last week and won them over to the Neely Bill; they passed a resolution endorsing it.

Last week Senator Neely introduced in the U. S. Senate another bill with a view to helping the independent theatre owners; it is designed to make it unlawful for a producer or a distributor of motion picture films engaged in interstate commerce to own, control, manage, operate or have any interest in motion picture theatres in the United States. It is numbered S. 3735.

Hearings on the Neely Bill by a subcommittee of the House Committee on Interstate and Foreign Commerce will be held before the month is over, according to the calculations of Allied leaders. It is predicted that the hearings will be bitter, for it is assumed that the producers will put up as stiff a fight as they have put up in their efforts to gain recruits among the general public against the Bill. It is assumed also that Allied and its Neely Bill supporters are ready to answer blow for blow.

Hearings on the Neely Bill are unnecessary, for the producers will say nothing that they have not said at previous hearings; but they want to have their say, with the hope that they will influence the Committee majority to report the Bill unfavorably, again with the hope that such a report will have an influence on the final vote of the House; and since Chairman Lee of the Committee on Interstate and Foreign Commerce decided that hearings must be held the friends of the Bill have no way out. But they are ready for whatever action is necessary should the subcommittee procrastinate.

NOT ALL CATHOLIC ORGANIZATIONS OPPOSE THE NEELY BILL

If one were to judge by the stand the Legion of Decency of Minneapolis has taken, one would think that every Catholic organization in the country is opposed to the Neely Bill. But such is not the case; not only Detroit and many other cities are for it, but, judging by the editorial that appeared in the March 22 issue of *The Catholic Standard and Times*, of Philadelphia, the leading Catholics of that city, too, are in favor of the Bill. Says the editorial partly:

"Motion picture fans . . . should be vitally interested in the Neely Bill. . . .

"Briefly, the bill proposes to abolish compulsory block booking and blind selling of motion picture films. Under the present film distribution system . . . no film can be booked by itself. To secure a desirable film for his patrons, a theatre operator must book also a block of other films. In many instances, these other films are listed by name only, and no description is given because they have not

(Continued on last page)

**"Dark Command" with John Wayne,
Claire Trevor and Walter Pidgeon**
(*Republic, April 15; time, 93 min.*)

Good entertainment. It is an interesting, well-produced melodrama, centering around guerrilla warfare in Kansas and the other border states during the Civil War. There is plentiful action, some of it tensely exciting; the situation in which the young marshal, accompanied by a group of assistants, sets out to round up the gang, only to be trapped, is one of the most thrilling. But the picture does not treat solely on warfare; it presents the story of the personal conflict between two men who loved the same woman. The story is supposed to be semi-historical, but the names of the characters have been changed:—

John Wayne and his pal (George Hayes) wander into Kansas on their way out West. Wayne is eager to continue on, but changes his mind when he meets Claire Trevor, daughter of the local banker. He falls in love with her at first sight. When he suggests marriage, she naturally laughs at him. Walter Pidgeon, the town schoolmaster, was another suitor. In order to make something of himself, Wayne decides to run for Federal Marshal; his opponent was Pidgeon. Wayne is elected. Enraged at the idea that an uneducated man had beaten him, Pidgeon formulates plans to gain power. His mother pleads with him not to do anything wrong, but he refuses to listen to her. Pidgeon gets together a gang of men, and leads them on plundering raids. They steal confederate uniforms, and carry on their guerrilla warfare posing as soldiers. Miss Trevor's brother (Roy Rogers), who had killed a man in the heat of an argument, is arrested by Wayne. Miss Trevor pleads with Wayne to release Rogers, but he refuses. She goes to Pidgeon for help. By whipping the jurors and threatening harm to their families, Pidgeon frightens them into finding Rogers not guilty. To show her gratitude, Miss Trevor marries Pidgeon. But he is compelled to leave her on their wedding night, because his men were becoming uncontrolled. Rogers, believing that Pidgeon was a Confederate soldier, joins him. Rumor spreads about Pidgeon, but Miss Trevor refuses to believe it; she decides to go to his camp. Wayne accompanies her for protection. She finds out for herself that what people were saying was the truth. She, Rogers, and Wayne escape. Pidgeon follows them and, in a gun battle with Wayne, is killed. Miss Trevor later marries Wayne.

W. R. Burnett wrote the story, and Grover Jones, Lionel Houser, and F. Hugh Herbert, the screen play; Raoul Walsh directed it, and Sol C. Siegel produced it. In the cast are Marjorie Main, Porter Hall, and others.

Suitability, Class A.

"The Biscuit Eater" with Billy Lee
(*Paramount, May 24; time, 80 min.*)

This is one of the finest dog pictures produced. The story has warmth, human appeal, and comedy. Dog fanciers should enjoy it thoroughly, and class audiences who want something a little different will find it to their liking. The plot revolves mostly around two children and their love for a dog; there is no romance. Regardless of its merit, however, its box office success is doubtful; there is not one player in the cast whose name means anything at the box-office. Yet it is a picture that should be played. The performances are good; and the photography, particularly in the hunting scenes, outstanding:—

Richard Lane, an expert dog-breeder, is heartbroken when the new owner (Lester Matthews) of the estate on which he worked informs him that he intended to get rid of the dogs and go in for horse training. Matthews orders the dogs to be sold at auction. Lane's young son (Billy Lee) extracts a promise from Matthews that he could have one of the puppies from an expected thoroughbred litter. When the puppies arrive,

Billy picks the one he wants, a runt. He and his colored boy friend (Cordell Hickman) spend most of their time training the dog to hunt. The dog disappoints them; but his worst offense is when he raids the chicken coop. Lane orders his assistant to get the dog off the estate, fearing that he would be a bad influence on the other dogs. But the children find him and train him in secret. Billy enters the dog in the important Grand National field trials. His father is amazed when he finds out about it and orders Billy to withdraw the dog; but he refuses. The trials prove that Billy's faith in the dog was justified, for he runs away with the honors. Just before the last test between his dog and his father's entry, Billy learns that it was important that his father's dog should win, in order to prove to Matthews that dog-breeding was a worth-while business. Heartbroken, he forces his dog to lose. The dog runs away, but returns to the estate late that night. He is shot by one of the attendants as a prowler. Billy holds the dog in his arms and tearfully tells him why he had to lose. His parents and Matthews overhear his confession. When the dog dies they comfort him. Matthews announces that the estate would stick to dog-raising, and that Billy could have a prize thoroughbred puppy.

James Street wrote the story, and Stuart Anthony and Lillie Hayward, the screen play; Stuart Heisler directed it, and Jack Moss produced it. In the cast are Helene Millard, Snowflake, William Russell, and others.

Suitability, Class A.

**"Curtain Call" with Barbara Read,
Alan Mowbray and Helen Vinson**
(*RKO, Date not set; time, 62 min.*)

A moderately entertaining program comedy. The story is thin and even slightly silly; but it manages to be amusing in spots because of the antics of Alan Mowbray and Donald MacBride. The other characters involved are not particularly interesting, despite the efforts of the players. For instance, it is difficult for one to sympathize with the heroine, whose naivete borders on the ridiculous side. Moreover, there is an overabundance of dialogue:—

MacBride, a theatrical producer, is worried because his only star (Helen Vinson) had threatened to sign up with another producer after appearing in one more play for MacBride. He calls on his director-partner (Mowbray) to help him keep Miss Vinson under their management. MacBride suddenly thinks of a scheme to carry out his plans; he decides to submit to Miss Vinson a poor play, with the hope that she would refuse to play in it. Then she could not, according to her contract, go to any other producer. They choose a play written by Barbara Read, a small-town girl with theatrical aspirations, because it was the worst one they could find. To their amazement, Miss Vinson expresses delight with the play. They try in many ways to induce Miss Read to permit them to make changes in the play, but she refuses. Angry when Mowbray finally tells her how putrid her writing was, she goes away without leaving an address. This leaves the way clear for Mowbray to make the changes he wanted. He turns it from a drama into burlesque. Miss Read, in company with her small town sweetheart (John Archer), decides to go to the opening night. Although the play is successful, she is heartbroken that it had been turned into a burlesque. She goes backstage to remonstrate with Mowbray and MacBride, but she finds them in the midst of a quarrel with Miss Vinson. It is then that she realizes that her place was in a small town as the wife of Archer, and so she leaves.

Howard J. Green wrote the story, and Dalton Trumbo, the screen play; Frank Woodruff directed it, and Howard Benedict produced it. In the cast are Leona Maricle, Frank Faylen, Tom Kennedy, and Ralph Forbes.

Suitability, Class A.

"'Til We Meet Again" with Merle Oberon, George Brent and Pat O'Brien
 (First National, April 20; time, 98 min.)

This is a remake of "One Way Passage," produced in 1932 by Warner Bros. As was the case with the first picture, it is an interesting but depressing drama of a futile romance between two doomed persons. Even though the hero is an escaped convict, one cannot help feeling pity for him. The heroine, too, arouses one's sympathy; also pity. With the exception of the few times when the hero tries to escape, the action is somewhat slow-moving. Those who did not see "One Way Passage" may find the story interesting, but those who did see the first picture and remember it may become slightly impatient, because the story will be familiar to them. There is some slight comedy relief:—

Merle Oberon and George Brent meet accidentally at a bar in Hongkong. On parting, they break their cocktail glasses and express a wish to meet again. As Brent leaves, he falls right into the hands of Pat O'Brien, a detective, who had gone around the world in search of him. Brent was an escaped convict—a murderer with a death sentence hanging over him. O'Brien takes Brent on the boat bound for San Francisco. Miss Oberon is on the same boat; and, since O'Brien permitted Brent his freedom, she and Brent spend all their time together. They fall desperately in love. He did not know that she was dying of heart disease, and she did not know about his pending execution. Just before the boat docks, they both find out about each other, but do not let on to each other that they knew. They part without tears, promising to meet at a certain bar in Mexico on New Year's Eve. They both die before that time. But at the appointed time and place two glasses break in a strange manner, as if to signify that the lovers were there in spirit.

Robert Lord wrote the story, and Warren Duff, the screen play. Edmund Goulding directed it, and David Lewis was associate producer with Hal Wallis, producer. In the cast are Geraldine Fitzgerald, Binnie Barnes, Frank McHugh, and others.

Suitability, Class A.

"Dr. Kildare's Strange Case" with Lew Ayres, Lionel Barrymore and Laraine Day
 (MGM, April 12; time, 77 min.)

This is just as interesting, absorbing, and appealing as were the other pictures in the series. What makes these "Kildare" pictures such good mass entertainment is the fact that the characters act in a natural way, the plot is believable, and the subject of medicine is presented not only in an interesting, but also a comprehensive manner. Everything that is done in the line of medicine is explained, not in lecture form, but as part of the story; thus the action is not retarded. An interesting feature is that which shows how insulin shock treatment is used to cure a mentally unbalanced man. The dialogue is exceptionally good, particularly the lines spoken by Lionel Barrymore, who provokes laughter by his hot-tempered outburst. The romance, although unimportant, adds to the pleasantness of the story:—

Lew Ayres, assistant to Lionel Barrymore, chief diagnostician at a large hospital, turns down a lucrative offer at a foundation in order to remain at the hospital for thorough training under Barrymore. This pleases Barrymore very much, for he was fond of Ayres and had faith in his ability. After a delicate brain operation performed by Shepperd Strudwick, a young surgeon at the hospital, the patient recovers but is insane. This meant disgrace for Strudwick and possible dismissal. Ayres, who knew that the operation was the correct move and, having suspected that the patient was insane before the operation, is determined to help Strudwick. Unknown to any one but Laraine Day, a young nurse with whom Ayres was in love, he uses the insulin

shock treatment on the patient in an effort to bring him back to sanity. His plan works and the man recovers. Ayres learns that family trouble had turned him insane and straightens matters out for him. Strudwick is cleared. Barrymore reveals to Ayres that he knew what he was going to do, and had cleared the way for him to do it. But he expresses annoyance with Ayres for his daring and discharges him. Ayres expresses resentment and Barrymore is glad to take him back. Ayres confesses his love for Miss Day; she promises to wait until he was financially able to marry her.

Max Brand and Willis Goldbeck wrote the story, and Harry Ruskin and Willis Goldbeck, the screen play; Harold S. Bucquet directed it. In the cast are Samuel S. Hinds, Emma Dunn, Nat Pendleton, Walter Kingsford, Alma Kruger, and others.

Suitability, Class A.

"Johnny Apollo" with Tyrone Power, Dorothy Lamour, Edward Arnold and Lloyd Nolan

(20th Century-Fox, April 19; time, 92 min.)

This melodrama, which combines gangsterism with a father-son conflict, is very good entertainment. The story has been handled well, and the performances are outstanding. Even though parts of it are a bit strong, and the romance is incidental, women, as well as men, should enjoy it because of the human interest angle. The attempted prison break is extremely exciting; it holds one in tense suspense. The picture is hardly edifying entertainment for young folk, since all the characters, including the father, commit illegal acts; and the son, in order to make enough money to work for his father's release from prison, joins forces with a gangster. But the eventual regeneration of father and son, and the fact that they pay for their misdeeds, points a moral. Romantically it may prove disappointing to some persons, even though the ending is logical:

Tyrone Power, a young college student, is horrified when he reads that his father (Edward Arnold), a wealthy Wall Street broker, had been arrested for embezzlement. He leaves college and, upon arriving home, denounces his father. After the quarrel, father and son part in anger. Arnold is tried and sentenced to prison. Repentant for his behavior, Power is determined to work for his father's release. He is unable to obtain employment with any of his father's former friends. While visiting a certain shady lawyer (Charles Grapewin), who knew how to obtain paroles for convicts, Power meets Dorothy Lamour, girl friend of Lloyd Nolan, a noted gangster. She takes a liking to him. Power becomes acquainted with Nolan, who had just been paroled; he does a favor for Nolan, who rewards him with \$100. They become friends and associates in crime, for Power needed a large sum of money to work for his father's release. Even though Power had changed his name, Arnold hears of his exploits and refuses to see him when he visits him. Eventually Nolan and Power are arrested and sentenced to the same prison. They plan a prison break. But Arnold, who had been told by Miss Lamour, who loved Power, that Nolan would kill Power if necessary, tries to stop his son from joining in the prison break. Nolan shoots Arnold and then knocks out Power when he protests; he leaves the gun at Power's side. The break proves ineffective and Nolan is killed. Since Arnold was unconscious, Power is held for the murder. The prison officials refuse to believe that he is Arnold's son. But Arnold regains consciousness and clears his son. Father and son are then reunited. Miss Lamour goes away, happy that she had done some good.

Samuel G. Engel and Hal Long wrote the story, and Philip Dunne and Roland Brown, the screen play; Henry Hathaway directed it, and Harry Joe Brown produced it. In the cast are Lionel Atwill, Marc Lawrence, Jonathan Hale, and others.

Not suitable for children or adolescents. Adult fare. Class B.

been completed by the studios. When they are released, if they are below the level demanded by the patrons of a particular theatre, the operator's only course is to pay the rental of the films without showing them. The recent Red propaganda film, 'Blockade,' was insinuated into theatre programs through this method."

After stating that the quality of the theatre program could be improved if the exhibitor had the right to choose his pictures, the editor calls the attention of his readers to the fact that the "Big Eight" are making every effort to keep the Neely Bill in committee. "Through misrepresentation," he says, "they are stirring up sentiment against the bill. A studious reading of the proposed law, however, proves every charge of the distributing companies unfounded, and leads to the conclusion that its passing will result in better pictures with more entertainment value. . . ."

The editorial closes with a recommendation that picture patrons request their Congressmen to expedite the passage of the Bill.

In the many years during which the Allied leaders have been exerting their efforts to correct the block-booking and blind-selling evil by the passage of suitable legislation in Washington, HARRISON'S REPORTS has had many an opportunity to call the attention of the exhibitors to different Catholic organizations that had declared themselves in favor of such a law. Among these organizations outstanding has been the Detroit Council of Catholic Organizations, the president of which was at that time Mr. Arthur D. Maguire, a prominent attorney of Detroit. Mr. Maguire has been one of the most loyal friends the exhibitors have ever had; he has let no opportunity go by without adding his efforts to the efforts of the exhibitors toward the passage of the Neely Bill.

Other Catholic organizations that have supported and are still supporting the Neely Bill are The Knights of Columbus and the National Council of Catholic Women. Father Lord, the prominent Jesuit priest of St. Louis, has never wavered.

I am calling these facts to your attention so that you may not feel that the antagonism to the Bill on the part of Catholic organizations is general.

NATIONAL ALLIED CONVENTION DATE NOW SET

Mr. Jack Kirsch, president of Allied Theatre Owners of Illinois, has set June 19, 20 and 21, as the convention dates for Allied States Association of Motion Picture Exhibitors, at the Morrison Hotel, in Chicago. Incidentally, the board of directors of his organization passed the following resolution on March 22:

"BE IT HEREBY RESOLVED that the Allied Theatres of Illinois go on record as being unanimously and unqualifiedly against any producer of motion pictures entering into the production of 16 millimeter film for so-called 'Juke' boxes or slot machines inasmuch as these are definitely a threat to motion pictures theatre business.

"BE IT LIKEWISE RESOLVED that the producers be asked to lend their support in stamping out this evil by refusing to allow the use for this purpose of any actors, actresses, directors or other personnel now used in the production of motion pictures.

"BE IT LIKEWISE RESOLVED that this organization go on record, at this time, against the production of 16 millimeter, 8 millimeter or any

other size film, of motion picture features which have been released and/or shown in motion picture theatres, for use in non-theatrical competition."

PICTURES NOW IN PRODUCTION

Columbia

"DEAD MAN'S ISLE," with Peter Lorre, Rochelle Hudson, Robert Wilcox. A program picture, probably of the horror type.

"THE LONE WOLF MEETS A LADY," with Warren William, Jean Muir, Eric Blore, Roger Pryor, Victor Jory, Warren Hull, Thurston Hall and others. A program picture of the well known series.

"BABIES FOR SALE," with Rochelle Hudson, Glenn Ford and others. Program.

MGM

"BOOM TOWN," with Clark Gable, Spencer Tracy, Claudette Colbert, Hedy Lamarr and Lionel Atwill, produced by Sam Zimbalist and directed by Jack Conway. From very good to excellent.

"BUSMAN'S HONEYMOON" (in production in England), with Robert Montgomery, Constance Cummings, Leslie Banks, Seymour Hicks, and others, produced by Ben Goetz and directed by Arthur Woods. Program with fairly good box-office possibilities.

Paramount

"NORTHWEST MOUNTED POLICE" (in technicolor), with Gary Cooper, Madeleine Carroll, Paulette Goddard, Preston Foster, Robert Preston, George Bancroft, Lon Chaney, Jr., Akim Tamiroff, Lynne Overman, Walter Hampden, Regis Toomey Montagu Love, and others, produced and directed by Cecil B. DeMille. From very good to excellent.

"I WANT A DIVORCE," with Dick Powell, Joan Blondell, Frank Fay, Gloria Dickson, Sidney Blackmer, Dorothy Burgess and others, produced by George Arthur and directed by Ralph Murphy. Since this is the first picture produced for a long time with this star outside the Warner Bros. studio, one cannot determine the picture's exact box-office possibilities. Perhaps good.

RKO

"THE VILLAIN STILL PURSUED HER," with Buster Keaton, Hugh Herbert, Anita Louise, Alan Mowbray, Richard Cromwell and others, produced by Harold B. Franklin, and directed by Edward F. Kline. The plot for this picture has been taken from "The Drunkard," a five-act play by H. S. Smith; it deals with the reformation of a young man who, through drink, had brought disgrace upon himself, his wife and his child. The play was first produced in 1843 by P. T. Barnum in his American Museum, New York. In 1926 it was found among a lot of manuscripts that had been stored in Berkeley, California, and revived in that city, in San Francisco, and in many other cities. It was again revived March 10, 1934, at the American Music Hall (a Little Theatre, where patrons usually sit at a table drinking beer while watching the show), playing to more than 1400 performances. Judging by the cast, it is manifest that Mr. Franklin, the producer, will burlesque it, just as it was burlesqued at the American Music Hall. It is of the "Ten Nights in a Barroom" type, and cannot be presented as a serious melodrama today. The cast selected lends itself for effective burlesquing, and the new title fits the picture well. In all probability it will turn out a good farce.

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LET THERE BE AN IMMEDIATE CONCILIATION!

It is doubtful whether the strife that now divides producers and exhibitors does the industry any good. The exhibitors, in order to win their fight, were compelled to win public support; and, in so doing, they were obliged to reveal to the public that the industry is held under the monopolistic heel of the major companies.

What the exhibitors have told the public may all be true, but who can say that no harm has been done to the box-offices of the theatres? By becoming conscious of the inter-industry strife, the public also has lost faith in the ability of the industry to present entertaining pictures, with the result that it has grown too discriminating.

On the other hand, how could the exhibitors bring about industry reforms unless they appealed to the public for support?

It is not a healthy situation, no matter from which angle one looks at it.

An understanding should be arrived at to put an end to this strife.

But before an understanding can be arrived at, the producers will have to recede from the intransigent attitude they have assumed up to this time; they must show willingness to make to the exhibitors additional concessions. They must get out of the small towns as theatre operators, and concede to the exhibitors the right to say what pictures shall and what shall not be shown on their screens.

The producer argument to the effect that the production of experimental pictures can be undertaken only under a system that compells the exhibitors to buy all the pictures of a producer or none of them is not founded on justice and fair play, and sooner or later they will be compelled to abandon it, for no system that is founded on injustice can endure, particularly when public organizations have registered an objection to it.

Among the major company heads there are undoubtedly some who would prefer a settlement of the present exhibitor-producer disputes rather than see the struggle continue; undoubtedly also there are among the exhibitor leaders some who feel that the government suit will not do the exhibitors any good, for it will cost the industry millions in cash as well as in losses due to disorganization. And the exhibitors will eventually have to foot part of the bill, not only in increased rentals, but also in deterioration of picture-quality.

A settlement cannot, of course, be effected unless the producers are, as said, willing to meet the exhibitors halfway.

The equity suit has been postponed for a month. During this period of time it is possible for producers and exhibitors to get together and to effect a final agreement. The proposals that were submitted by the producers to the exhibitors through the Department of Commerce should offer a basis. In those proposals, the major points that divide exhibitors and producers are but two—full-line forcing and blind-selling, and partial divestment of theatres. The exhibitors have indicated that they are willing to take somewhat less than they first asked. The producers should realize that the time is limited and should abandon the idea of expert fencing and of fine diplomacy; all that is now required is speedy action.

Who among the major company heads will put personal feelings aside and make the move that will bring peace? HARRISON'S REPORTS will be glad to join hands with him.

A MIRACLE HAS HAPPENED!

Those who have been reading the blasts against the Neely Bill in *The Hollywood Reporter* could never have believed that the day would come when W. R. Wilkerson, its editor, would change his mind as to the effect the Neely Bill would have on the industry and join the ranks of those who are supporting it, for he has been one of its bitterest opponents. But miracles do happen, as the saying goes, and this switch of his must be a miracle.

And yet I don't think it is a miracle: being dependent on advertising to keep his publication going, as is the case with every trade publication, Mr. Wilkerson would not, in my opinion, have changed his views and advocated the elimination of block-booking and blind-selling unless two or more of the important studio heads in Hollywood have at last been convinced that the Neely Bill, if enacted into a law, will, not only not ruin the industry, but on the contrary, help pull it out of the rut into which it has sunk. If such is the case, then the independent exhibitors have a good reason for rejoicing.

After pointing out in his April 12 issue the uselessness of the sales conventions that either have already been held or are scheduled to be held in the near future, Mr. Wilkerson says:

"Whatever change will be made in pictures as a result of any of the legislations that are now up, (and one or more of them seem a cinch to be enacted), it will call for the greatest spurt in production Hollywood has ever seen, as every piece of legislation will demand that producers and distributors have their pictures to show before they are booked. To do that, even presenting them in groups of five or less, Hollywood will be on the jump, with every studio in the business filling its stages with product and working night and day to get it finished.

"Another thing that Hollywood MUST expect, resulting from the changes that are a cinch to be instituted one way or the other, is the demand for BETTER PICTURES, with the full knowledge that those BETTER PICTURES will bring better returns than the picture business has ever seen, other than the current exhibition of 'Gone With the Wind.' Pictures will have to be shown before they are booked. This will, of necessity, eliminate a lot of the 'B' and 'Z' shows that the majors have turned out. BUT with the production of BETTER PICTURES and their being shown for exhibitors to buy, the distributors will then be able to make individual terms on individual pictures or individual groups of pictures, which will necessitate the exhibitor charging higher admissions, as he will be glad to do under the new scheme of things, resulting in more money for better effort.

"It's this writer's impression that the change that is to come will be the greatest boon to industry progress it has had since the inception of sound, that every branch of the business will profit, that the picture industry will thrive and build as a result of the change."

That a change in the sentiment in Hollywood has taken place may be evidenced by the fact that four important
(Continued on last page)

"Tear Gas Squad" with Dennis Morgan, John Payne and Gloria Dickson
(Warner Bros., May 4; time, 54 min.)

A minor program picture. The plot is developed in so routine a manner that it is obvious to the spectator just what is going to happen. In spite of the fact that the picture has some melodramatic action, a little comedy, a romance, and a few songs, it fails to impress on any one count. The players try hard enough, but there is nothing that they can do with the poor material:—

John Payne, a police officer, and Dennis Morgan, a night club singer, are both in love with Gloria Dickson, whose father and other relatives are all on the police force. Morgan purposely joins the force so as to impress Miss Dickson. He is put under the training supervision of Payne. Payne makes things difficult for Morgan. When Morgan graduates and is assigned to the glee club, he is irritated because he wanted action, and so he complains to the Captain. But Payne informs the Captain that Morgan did not know how to take orders and so was not yet fit for active duty. Morgan knocks Payne down and for this he is suspended. Morgan's young brother, who had once captured a gangster, is killed by one of the gangster's pals, and Morgan is determined to capture the killer. Although he was still under suspension, he joins the police in an effort to round up the criminals. Due to Morgan's individual bravery, the gangsters are all caught. He is put back on the force, and marries Miss Dickson.

Charles Belden, Don Ryan, and Kenneth Gamet wrote the screen play, and Terry Morse directed it. In the cast are Harry Shannon, Mary Gordon, William Gould, and others.

The murder makes it unsuitable for children. Suitable for adolescents and adults. Class B.

"Forty Little Mothers" with Eddie Cantor
(MGM, April 26; time, 89 min.)

Good mass entertainment. The part Eddie Cantor plays is different from those in which he has always appeared, for he is here given a chance to do some straight acting. The story has human appeal and comedy, but no romance and very little music; the latter two are, however, not missed, for the story has charm and is appealing in itself. The production is good and the acting and direction competent. Women should go "wild" about Baby Quintanilla, who is the central character in the story; he is unusually bright-looking and has winning ways. Nydia Westman, as a spinner school teacher, provokes laughter, although some of the lines she speaks are pretty suggestive:—

Cantor, an unemployed college professor looking for a waterfront job, prevents Rita Johnson from jumping into the ocean. She was without funds and despondent. Cantor induces a waterfront cafe owner to give her a job as a waitress, and then leaves her and wanders into a waterfront waiting room. There he is attracted by a baby in a basket. Noticing a note pinned to the baby, he reads it and learns that the baby had been abandoned. He decides to take him home, not knowing that he was Miss Johnson's baby. Her confidence having been restored by Cantor, Miss Johnson rushes back for her baby, and becomes frantic when she finds him missing. Being without funds, Cantor steals a bottle of milk for the baby, is caught in the act and is taken to court. The judge (Ralph Morgan), turning out to be an old college classmate, obtains for Cantor a position as professor at a fashionable girls' school. Cantor naturally has to hide the baby. The girls at the school are disappointed when they see Cantor and decide to make life miserable for him so that he would be compelled to leave. They find the baby and make fun of him, but when they hear the story of the baby from Cantor and are upbraided by him, they are so ashamed of themselves that they alter their attitude toward him completely. When Miss Anderson sees the baby she orders Cantor to leave. Miss Johnson, who had traced her baby to the school, arrives to claim him, just as Cantor was ready to take him away. Since Cantor no longer had the baby, Miss Anderson heeds the pleas of her pupils and asks Cantor to remain with them. Miss Johnson and the baby, too, remain.

Jean Guittot wrote the story, and Dorothy Yost and Ernest Pagano, the screen play; Busby Berkeley directed it, and Harry Rapf produced it. In the cast are Martha O'Driscoll, Diana Lewis, and others.

Class A.

"Buck Benny Rides Again" with Jack Benny, Ellen Drew and Eddie (Rochester) Anderson
(Paramount, May 3; time, 83 min.)

Very good! Jack Benny's radio fans should be delighted with this picture, for it follows the style he employs on his program, and most of the members of his radio cast are with him in the picture. As in "Man About Town," the most outstanding player, aside from Benny himself, is "Rochester" Anderson, who sings, dances, and clowns in a manner that his fans enjoy. The picture has been given a lavish production and, although it has been based on a simple plot, it has the ingredients for mass appeal—music, romance, and comedy:—

Benny falls in love at first sight with Ellen Drew, one of three sisters auditioning for a radio program. But she, thinking that he was a flirt, refuses to have anything to do with him. Her sisters, realizing that Benny was an important radio name and that he could help them, arrange for an appointment, leading Benny to believe that Miss Drew had made the appointment. They meet, but again a misunderstanding arises and they part in anger. Phil Harris, a member of Benny's radio company, is eager to go out West to join his sweetheart (Kay Linaker), who had gone there to obtain a divorce so as to marry Harris. By passing out publicity to the effect that Benny was going to his ranch out west, Harris compels Benny to make the trip. They stop at an expensive hotel. But when Benny finds out that Miss Drew and her two sisters had arrived to fill an engagement at the hotel, he rushes out to a ranch owned by Andy Devine. Devine agrees to allow Benny to pretend that he owned the ranch. Benny, knowing that Miss Drew respected real he-men, pays the cowhands to permit him to insult them in Miss Drew's presence. But she finds out about the trick, and in order to teach Benny a lesson, engages two men to hold Benny up so as to scare him, not realizing that they were real outlaws. But Benny shows himself to be a real hero and finally wins Miss Drew's love.

Arthur Stringer wrote the story, and William Morrow and Edmund Beloin, the screen play; Mark Sandrich directed and produced it. In the cast are Dennis Day, Virginia Dale, Lillian Cornell, Kay Linaker, Theresa Harris, and others.

Class A.

"Irene" with Anne Neagle and Ray Milland

(RKO, May 3; time, 101 min.)

Good entertainment. It has comedy, romance, and some music, and the production is lavish. The fashionable clothes shown throughout should prove a decided attraction for women patrons. This was made once before, by First National, in 1926; but several alterations have been made in the plot, and these are for the best, for the story now holds one in suspense. The romance is pleasant, even though it is developed in the routine way, with misunderstandings and final reconciliation:—

Anne Neagle, an employee of a decorating concern, calls at the home of Billie Burke, a society woman, to look over some work her firm had done. There she meets wealthy Ray Milland, who falls in love with her at first sight. After a few meetings, she, too, loves him. Milland finances a fashionable dressmaking establishment, about which Miss Neagle knows nothing. He obtains for her a position there as a model. While at a charity ball, where she was appearing as a model, she is mistaken for a titled lady. She and Roland Young, the firm manager, decide to carry on the hoax. She appears at every place dressed in beautiful clothes, and always manages to say where the clothes came from. Milland is disgusted and tries to put a stop to it; but he is unsuccessful. Eventually Miss Neagle learns about his connection with the firm and is enraged, for she thought he had been using her. In anger, she accepts the marriage proposal of a young society man (Alan Marshal). The day before the wedding she and Milland meet and she is heartbroken, for she still loved him. But everything is adjusted when she learns that Marshal loved some one else; she releases him and then marries Milland.

The plot was adapted from the play by James H. Montgomery, Harry Tierney and Joseph McCarthy; Alice Duer Miller wrote the screen play, and Herbert Wilcox directed and produced it. In the cast are May Robson, Arthur Treacher, Marsha Hunt, Isabel Jewell, and others.

Class A.

**"Tomboy" with Marcia Mae Jones,
Jackie Moran and Grant Withers**

(Monogram, April 20; time, 70 min.)

A mildly pleasant program picture. It should appeal mostly to young folk, for the story revolves around a boy and girl of adolescent age. It has some human appeal, because of the good character of the young hero, who is mistreated by a stern uncle who resorts to beating the boy at the slightest provocation. The friendship and puppy love that develops between the hero and the heroine is handled well enough not to seem silly. An adult romance is worked into the plot, but it is of slight importance:—

Jackie Moran, a young orphan living on a farm with an aunt and an uncle, finds it difficult to go to school because his uncle (George Cleveland) felt it was a waste of time. He is compelled to do hard work on the farm. Marcia Mae Jones, whose father (Grant Withers), a retired baseball player, had bought a farm close to the one on which Moran lived, feels sorry for Jackie and enlists her father's aid in helping the boy. Jackie, humiliated when Cleveland orders him to leave a party at which Marcia was present, runs away, leaving a note for his aunt. In the meantime, two tramps, who had seen Cleveland hide \$200, steal it. Cleveland sees the note written by Jackie and, finding the \$200 gone, believes that Jackie had taken it. He goes after him. But Marcia, who had learned from a school friend what was happening, enlists her father's aid; they both go to Jackie's rescue. Cleveland finds Jackie with the two tramps, who were waiting for a freight train. He starts to beat Jackie for taking his money but, to his surprise, learns that it was the tramps who had taken it. Jackie and Withers subdue the tramps and recover the money. Cleveland, sorry for his actions, begs for Jackie's forgiveness and asks him to go back home with him. All is forgiven, and every one is happy.

Dorothy Reid and Marion Orth wrote the screen play, Robert McGowan directed it, and William T. Lackey produced it. In the cast are Charlotte Wynters, Marvin Stephens, Clara Blandick, and others.

Suitability, Class A.

"On Their Own" with Spring Byington

(20th Century-Fox, May 17; time, 63 min.)

This is much better than the last picture in the "Jones Family" series. It has human interest and comedy, and holds one in fair suspense. Jed Prouty, who, as the papers have stated, has been having contract trouble with the producers, does not appear in this; but the screen-play writers have managed to cover up his absence by having him confined to a sanitarium with a nervous breakdown due to the loss of his life's savings. The main character this time is Spring Byington (Ma Jones), who steers the family through their financial difficulties with good cheer and love:—

When Miss Byington learns that her husband had suffered a nervous breakdown because of the loss of his savings due to the dealings of a crooked banker, she takes matters into her own hands. Knowing that it was necessary to take her husband to California, she sells their home and, after paying off debts, has a balance of \$400. She and her husband go by train, but the others of the family follow in their trailer. At first things looked bad, because no one was able to obtain employment, but the two older boys, aided by their mother, work out a clever business deal, in which they turn over their trailer for a bungalow court. They rent all the bungalows, and everything looks good, until their next-door neighbor, angry at the noise of children's voices coming from the bungalows, brings Miss Byington into court, claiming that one of the bungalows was built on part of his property. The kindly judge listens to the case, and decides in favor of Miss Byington, ordering her to pay a small sum to the plaintiff for the rights to his property. Every one, including the tenants, is overjoyed.

Val Burton, Jack Jungmeyer, Jr., and Edith Skouras wrote the story, and Harold Buchman and Val Burton, the screen play; Otto Brower directed it, and Max Golden produced it. In the cast are Ken Howell, George Ernest, June Carlson, Florence Roberts, Chick Chandler, and others.

Suitability, Class A.

"Grandpa Goes to Town" with James, Lucile and Russell Gleason and Harry Davenport

(Republic, April 19; time, 66 min.)

Although this "Higgins Family" comedy makes use of many familiar gags to provoke laughter, it should amuse the masses fairly well. No one will take the story seriously; yet it will probably hold the attention of such spectators as are out for an hour's light entertainment, for, in spite of the fact that the action is at times pretty silly, it is fast-moving and occasionally diverting. And the closing scenes are exciting. A romance and a few songs are incidental parts of the plot:—

Lucile Gleason, without consulting the members of her family, invests all their money in a hotel out west; the agent had told her that the hotel was situated in a thriving town. But when the family arrives there, they find a dilapidated, broken-down hotel in a deserted mining town. They decide to abandon it, but first plan to spend the night there. The son (Russell Gleason), overhearing two men talking about a gold strike, is unaware of the fact that it was just a scene acted for a motion picture. He spreads word of the gold strike, and within an hour the hotel is swamped with guests. But his grandfather (Harry Davenport), who had found out about the picture, realizes that there would be trouble if no gold was found. He grinds his gold watch and chain and puts the gold dust in an abandoned mine, so that some one would find it and justify Russell's claim. But it turns out that there actually was gold in the mine. Five gangsters try to claim the mine for themselves, but Davenport, helped by members of the motion picture company, stops them. The mine is claimed by all the prospectors and every one becomes rich, including the Gleasons, whose hotel business boomed.

Jack Townley wrote the screen play, and Gus Meins directed and produced it. In the cast are Lois Ranson, Tommy Ryan, Maxie Rosenbloom, Arturo Godoy, Noah Beery, Douglas Meins, and others.

Suitability, Class A.

"Saturday's Children" with John Garfield, Anne Shirley and Claude Rains

(Warner Bros., released May 4; time, 101 min.)

A fairly entertaining domestic drama. There is some human interest, and here and there a touch of comedy, but the strife between hero and heroine does not give one much pleasure; nor does their financial distress. The fact that the heroine tricks the hero into marrying her, even though she had been induced to do so against her will by the promptings of her sister, is another cause for displeasure. This Maxwell Anderson stage play was put into pictures once before, with much better results; it was produced by First National in 1929, part talk and part silent, with Corinne Griffith in the leading part. Gregory La Cava directed it. Some alterations have been made in the plot of the present version, but these seem to have hurt the picture rather than helped it:—

On the first day of her work in the office of the firm where her father worked, Anne Shirley, daughter of Claude Rains and Elizabeth Risdon, meets John Garfield, and they become friends. But marriage is far from Shirley's mind. Lee Patrick, her wise sister, however, coaches her how to "hook" Garfield as a husband. Although tricking a man into marrying her was against her character, Shirley employs the tricks and they marry. Garfield abandons an offer to go to the Philippines to carry on his experiments of making silk out of hemp. Soon Shirley loses her job and Garfield's earnings are not sufficient to keep the house going. As a result, discord sets in. Shirley, feeling conscience-stricken, confesses her trickery, and Garfield is so shocked that he leaves home. Efforts to bring the young couple together are unavailing. Claude Rains attempts suicide in order that the couple might get his insurance money and thus patch things up again, but the watchman at the office stops the falling elevator in time to save his life. When Garfield learns that Rains was willing to sacrifice even his life to bring him together with his young wife, he is so moved that he decides to make a sacrifice of his own—forget the Philippines, make up with his wife, and carry on experiments for another of his inventions in town. Shirley then informs him that she would be a mother soon. This naturally makes Garfield as well as every one in the family happy.

Vincent Sherman directed the picture from a screen play by Julius J. and Philip G. Epstein. Roscoe Karns, George Tobias, Berton Churchill and others are in the cast.

Suitability, Class A.

studios have already adopted the unit system in producing their pictures. The first studio to adopt this system was RKO, immediately after George Schaefer became president of the company. Its example was followed by Universal, Columbia and Warner Bros.

Douglas Churchill, writing in last Sunday's *New York Times*, attributed the adoption of the unit system by these studios to a desire to be prepared should block-booking be outlawed, either through legislation or through the government suit. This may be true to a certain extent, but change in views regarding block-booking and blind-selling is undoubtedly another. To this may have contributed the success that "Gone With the Wind" has made, and that "Rebecca" is now making. The value of individual initiative and effort has dawned on them. No doubt they have said to themselves that if David Selznick has been able to break records with his pictures, which he produces himself and sells individually, the unit system must have some merit. And they have begun orientating themselves to it.

The unit system of making pictures is the only sensible system; under it, the producer, the writer, and the director of the picture are responsible for the results. And unless such a unit shows results, the studio heads must arrive at the inevitable conclusion that those responsible for the choice of the story, for its treatment, and for its direction, are incapable of delivering meritorious pictures.

The present system, which makes one man responsible for the production of fifty or more pictures, is unsound, and the sooner it is discarded the better.

OCCASIONS IN WHICH THE EXHIBITOR MUST DO HIS BIT

It is not unusual for a reviewer to say about a picture, "An unusual picture but lacks box office pull."

The reviewer must, of course, present to the exhibitor the facts for his guidance. Unfortunately, a presentation of the facts often does harm to a meritorious picture, because the exhibitor, after reading the review, resigns himself to the idea that the picture will not draw and for that reason there is no need for him to do anything about it.

An attitude such as this is, of course, all wrong, particularly in the case of the lesser classification pictures, for the exhibitor, if he should have assumed the attitude that the picture in question offers him an opportunity to do with it as good business as he usually does with some of the more expensive pictures, might exploit it to the limit, and get results.

In last week's issue, I gave a review of "The Biscuit Eater," a picture released by Paramount. In that review I said that the picture is extremely fine, but stated that its box office value is doubtful, because the picture lacks box-office names.

Lest those of you who have the picture bought assume the attitude that there is no use doing anything about it because it will not draw, I feel that it is my duty to urge you not to assume such an attitude. Here is a picture that, in entertainment values, stands up with some of the highly expensive productions. Are you, then, going to refrain from exploiting it just because a Clark Gable is not in it?

"The Biscuit Eater" offers you an opportunity to make some money provided you do something about it!

HOW ABOUT IT, MR. SCHENCK?

Mr. Joseph M. Schenck, speaking at the convention of the Twentieth Century-Fox sales forces, which was held in Chicago two weeks ago, said that the exhibitors, too, should share the industry problems that have been engendered by the unsettled world conditions. And they can share them in no better way than by giving pictures extended time, for it is only in this way, he said, that the producers can recapture the revenue that they have lost as a result of the European war. "We cannot," said he, "cut produc-

tion costs at the studio without impairing the quality of our pictures and this we refuse to do. But if the exhibitors expect us to deliver to them the big pictures they want, they must help us with proper terms and extended playing time."

Assuming that Mr. Schenck made this statement not for publicity purposes but out of a desire to make the exhibitor conscious of the fact that the producer is faced with serious problems today, why should the producers not offer to the exhibitors as much cooperation as they are asking from them? If the exhibitors were to heed Mr. Schenck's admonition and give pictures extended playing time, what are they going to do with the grade "B," "C," and "D" pictures that they have on their contracts? And how about reducing the unreasonable zonings and clearances that are choking some of the exhibitors? And how about the forcing on the exhibitors of feature pictures that are unsuited to their needs? And how about the shorts, newsreels and trailers that they are compelled to buy even though frequently they do not need them?

If the producers want extended playing time for their meritorious pictures, why do they refuse to make it possible for exhibitors to do so? Only when full-line forcing and blind-selling are abandoned will be exhibitors be able to give the worth-while pictures extended playing time, and better terms.

How about it, Mr. Schenck?

PICTURES NOW IN PRODUCTION

RKO (Radio) Pictures

(Continued from last week)

"ANNE OF WINDY POPLARS," with Anne Shirley, James Ellison, Henry Travers, "Slim" Summerville, Joan Carroll, Dame May Whitty, Patric Knowles, Louise Campbell and others, produced by Cliff Reid, and directed by Jack Hively. It is the novel by L. M. Montgomery, author of "Anne of Green Gables," in which Anne Shirley herself appeared. The story unfolds in a small town, where the heroine had gone to be the local high school's vice-principal. She meets opposition from a rich old woman, who wanted the position for her ward, but the heroine, by her good nature, wins the good will of the town folk, and gets the job. It should turn out a good program picture, with the box-office possibilities depending mostly on Anne Shirley's popularity with each theatre's patronage.

Twentieth Century-Fox

"THE YOUNG PEOPLE," with Shirley Temple, Jack Oakie, Charlotte Greenwood, and others, produced by Harry Joe Brown and directed by Allan Dwan. Although Miss Temple does not draw the crowds she once drew, and even though "Blue Bird" did not do much good to her, she is still a fairly good box office asset, particularly for small towns.

"RAIN OR SHINE," with Virginia Gilmore, Joan Davis, Robert Sterling and others. Double-bill program picture.

"FOUR SONS," with Don Ameche and Nancy Kelly, produced by Harry Joe Brown and directed by Archie Mayo. Since the story is not available it is difficult to give an accurate box-office appraisal of this picture, and without a good story the box-office value of Mr. Ameche's name is only fairly good.

United Artists

"PERSONAL HISTORY," with Joel McCrea, Laraine Day, Herbert Marshall, and Robert Benchley, produced by Walter Wanger and directed by Alfred Hitchcock. According to newspaper dispatches from Hollywood the story has been altered considerably. For this reason no correct appraisal can be made of the story's value. The box office value of Mr. McCrea's name is anywhere from fairly good to very good, depending on story quality.

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ALLIED COMMENT ON THE RECENT PRODUCER PROPOSALS

You have undoubtedly learned that recently the producers submitted to Allied, through the Department of Justice, with the Department of Commerce acting as the connecting link between the producers and the Department of Justice, certain proposals for industry reforms, which proposals, if accepted by Allied in principle, would form the basis of a consent decree, the ultimate object of which would be to induce the government to drop the equity suit, and the Allied organization to abandon its efforts to have the Neely Bill become a law. You also undoubtedly must know that Allied rejected these proposals as insufficient.

The following is a gist of these proposals, and the Allied comment on them:

Elimination of Blind Selling

PRODUCER OFFER: No picture to be sold in an exchange district unless first trade-shown in that district.

ALLIED COMMENT: Proposal unsatisfactory in that it would inflict hardship on small exhibitors, and in that it would tend to restrict buying in small groups of pictures. The majority of Allied board of directors prefer the provision of the Neely Bill regarding compulsory block-booking, for this provision enables them to buy as many pictures as they want, and the type of pictures they want. Freedom of choice may be exercised intelligently by means of either synopsis, an adequate cancellation privilege, or a selective contract.

HARRISON'S REPORTS' OPINION: The method either of "adequate cancellation privilege," or of "selective contracts," will eventually put the exhibitor back to where he is now; experience has proved that the distributors will put on the exhibitor such a pressure that he will not be able to exercise either of these privileges. The problem can be solved only in two ways: the synopsis method, and the single picture sale method. The producers insist that they cannot produce pictures satisfactorily on the synopsis method, because they are often compelled to alter the story even after the picture has been produced. Of course, the synopsis method is preferable, but if the producers should be able to convince the law-makers that the synopsis method is uneconomical and impracticable, then the single picture sale after trade-showing is the only satisfactory method that the exhibitor has left. The Allied comment that this method is unsatisfactory to the small exhibitor is not well taken, in that it assumes that the small exhibitor will be compelled, before buying a picture, to travel so as to attend the trade-showing, an assumption which is wrong; the exhibitor will be able to obtain information as to the suitability of a picture either through his agent, or through his association, or through the trade press. The hardship an exhibitor will undergo if he were compelled to buy a single picture at a time is not as formidable as it looks or as it sounds: the small exhibitor will be able to buy a group of trade-shown pictures at a time without even having to leave his town to go to the exchange center, unless he wanted to do so. But even if there would be some hardship to him to buy a single picture at a time, he should suffer it for his own good, for under such a system he would at least know what he would be buying. At any rate he cannot eat the cake and still have it: if he wants satisfactory reforms, he must be willing to suffer some hardship for them: no one will put dollars into his pocket without his having to work to earn them.

Selling in Exchange Districts

PRODUCER OFFER: All negotiations for the leasing of feature pictures to be conducted in the exchange district from which the theatre is served; no theatre situated in another exchange district to be included in the sale; and the leasing of pictures in theatres of one exchange district

not to be made conditional upon the leasing of those pictures in the theatres of another exchange district.

ALLIED COMMENT: So long as the producers retain their theatres, such an offer is ineffective, for the producer theatre circuits in each exchange district will be able to exercise dominance enough to nullify competition, even without the use of the buying power of the theatres they control in other exchange districts.

HARRISON'S REPORTS' OPINION: Not only should the producers get rid of their theatres in the small towns and in the neighborhoods of big cities, but also selling of pictures for one theatre in a zone should not be made conditional upon selling of these pictures in another theatre even in the same zone. A trade reform of this kind should protect the small exhibitor also from the independent circuits, which, in many instances, are "dirtier" competitors than the affiliates. A reform of this kind should benefit the producer, for he will not be compelled to bow to the dictates of the circuit exhibitors, selling his pictures to them at lower rentals than he could have obtained from the independent exhibitors.

Limiting the Trade-Shown Picture Blocks

PRODUCER OFFER: (a) No distributor shall sell more than five to eight pictures in a group after trade-showing.

ALLIED COMMENT: Breaking down the blocks to groups of from five to eight pictures does not alter the principle of compulsory block-booking, for it is unlikely that the distributors will put their good pictures in one group and their "clucks" in another, and it is conceivable that the exhibitor will thus be compelled to buy undesirable pictures in order that he may secure the pictures he would want.

HARRISON'S REPORTS agrees with Allied. At the same time, it feels that, breaking down the blocks to small groups is much more preferable than full-line forcing, exercised at present. Perhaps some provision may be made for protecting the exhibitor from being compelled to buy all or none of the pictures in the small group.

PRODUCER OFFER: (b) The leasing of one group not to be made conditional upon the leasing of any other group.

ALLIED COMMENT: Unworkable; salesmen may use the "big stick" by hinting to the exhibitor that he will not have a chance of getting the next group unless he bought the entire group and paid the price demanded of him.

HARRISON'S REPORTS believes that the Allied contention, as experience has proved, is well taken.

PRODUCER OFFER: (c) No distributor shall compel an exhibitor to lease either shorts, newsreels or trailers as a condition of the sale of feature pictures. Any complaint to the contrary shall be arbitrated.

ALLIED COMMENT: Selling of shorts should be divorced completely from selling of features; otherwise, it is possible that high-pressure salesmanship methods may be applied on the exhibitors.

HARRISON'S REPORTS feels that the selling of shorts should be separated from the selling of features, not only for economic, but also for moral, reasons. At present an exhibitor is often compelled to show a "dirty" short, at least an unsuitable short, along with a clean feature. He does that so as to avoid paying for something and not using it.

PRODUCER OFFER: (d) No separate score charge shall be made.

ALLIED COMMENT: The proposals do not go so far as some producers have already offered to the exhibitors voluntarily. But, despite the voluntary offer, the distributors have merely added the score charge to the rental. Thus they complied with the letter of the offer but not with the spirit.

HARRISON'S REPORTS feels that in most instances the Allied contention is correct.

(Continued on last page)

"An Angel from Texas" with Eddie Albert, Rosemary Lane and Wayne Morris

(First National, April 27; time, 68 min.)

Average program entertainment. It was made twice before—once in 1928, as "The Butter and Egg Man," and again in 1937, as "Dance Charlie Dance." The first version was good, but the second turned out only a fair program picture. Except for a few alterations, the plot remains the same. It is one of those noisy comedies in which there is a great deal of shouting and a forced attempt at comedy. In spite of the fact that no mention is made on the titles of the source of the story material, patrons who saw the 1937 version will undoubtedly notice the familiarity of the story and may be annoyed:—

Rosemary Lane leaves her small Texas town for New York to start on a theatrical career. Her small-town sweetheart (Eddie Albert) is worried, because he had not heard from her, and his mother, owner of a hotel, urges him to take their savings of \$20,000, and go to New York, where he could find Miss Lane, marry her, and invest the money in some good business. He finally finds Miss Lane; she worked as a secretary to two shoe-string producers (Wayne Morris and Ronald Reagan). Morris and Reagan were eager to put on a new show, but they had no money. As soon as they hear that Albert had money, they start working on him. Albert agrees to invest his money in the show, on condition that Miss Lane is starred. They consent, but meet with trouble, for the girl they had promised the part to became furious and threatened to have her gangster boyfriend take the producers for a ride. Morris tries to discharge Miss Lane; this infuriates Albert and, obtaining the money from Reagan's wife (Jane Wyman), buys their share of the show; Miss Wyman is his partner. She insists that Albert go into the play, for she realized that both he and Miss Lane were such bad actors that the play would go over as a farce. And things turn out just as she had planned. The gangster gives Reagan and Morris \$100,000 and insists that they buy back the show for him. Albert, knowing that a law suit for plagiarism was about to be filed, accepts the \$100,000. After beating up Morris and Reagan, the gangster induces Albert and Miss Lane, who had decided to marry, to continue acting in the play.

The plot was adapted from the play by George S. Kaufman. Fred Niblo, Jr., and Bertram Milhauser wrote the screen play, Ray Enright directed it, and Robert Fellows produced it. Ruth Terry, John Litel, and others are in the cast.

Suitability, Class A.

"The Doctor Takes a Wife" with Loretta Young and Ray Milland

(Columbia, April 25; time, 88 min.)

A very good comedy for adults. The story is not unusual, but it has been directed with such skill, and is acted so agreeably by the leading players that one's interest is held throughout. And the action is fast-moving. Even though some of the situations are on the farcical side, they are believable and keep one amused; and the action at times provokes hearty laughter. Both dialogue and action are suggestive in spots, but not to the extent that they might prove offensive:—

Loretta Young, a successful novelist and noted feminist, spending a vacation in the country, finds it necessary to return to town. Since there was to be no train until the following day, she induces Ray Milland, a young doctor who was returning to the city in his car, to take her along. They quarrel during the entire drive. While parked at a small town so that Miss Young could send a telegram to her publisher (Reginald Gardiner), a young boy attaches a "Just Married" sign to their car by mistake. When they left town they were unaware that the sign was hanging on the car. A telegraph clerk, who knew who Miss Young was, sees it and spreads news about the "marriage." When they arrive in the city, the doorman takes Miss Young's bags up to her apartment. Milland, finding one of his bags missing, rushes up to the apartment. They start quarrelling again; annoyed, Milland asks Miss Young to pay for half of the cost of the gas, but she refuses. He decides to take it out in drink and small articles around the apartment. He soon becomes intoxicated and falls asleep in the bedroom. By that time, Gardiner and newspaper reporters arrive. Miss Young, unable to convince them that she was not married, and realizing that her reputation would be besmirched because of the man in her bedroom, reluctantly "admits" that she was married. Gardiner, knowing the truth, thinks of a good scheme by which Miss Young could cash in on her so-called marriage—write another book on how to be happy although married. Milland, when he awakens, refuses to be a party to the scheme, for he was engaged to another girl (Gail

Patrick); but when he arrives at the university that morning and is told he had been made a professor because of his marriage, he is compelled to continue with the hoax, at least for a while. After many hectic experiences, he and Miss Young actually fall in love with each other and marry.

Allen Leslie wrote the story, and George Seaton and Ken Englund, the screen play; Alexander Hall directed it, and William Perlberg produced it. In the cast are Edmund Gwenn, George Metaxa, Gordon Jones, Frank Sully, and others.

Not for children. Suitable for adolescents and adults. Class B.

"The Saint Takes Over" with George Sanders and Wendy Barrie

(RKO, June 7; time, 69 min.)

Good program entertainment for adults. It is a fast-moving murder melodrama, with plentiful comedy and exciting action. As a matter of fact, it is the best one so far produced in this series. One is held in tense suspense during the first half, not knowing who might be the next victim of the murderer, whose identity is concealed. Most of the laughter is provoked by a simple-minded gangster, who lived in fear of being killed. As in all the other "Saint" pictures, the romance is of minor importance:—

George Sanders, known as "The Saint," arrives in New York from London in order to help Jonathan Hale, his police-inspector friend, who had been accused of having accepted a bribe of \$50,000 from gangsters. Sanders knew that Hale was innocent; nevertheless he teases him about his "crime." Sanders decides to compel the five men involved in the frameup to confess. But before he could do anything, three of the five are killed by a mysterious murderer. Hale, who was suspected, insists that he had nothing to gain by the killings. Sanders finally solves the case: he proves that the murders had been committed by Wendy Barrie, whose brother had been framed and killed by the five gangsters. Sanders, who had met Miss Barrie on the boat and had fallen in love with her, vainly tries to help her. In a gun battle with Cyrus W. Kendall, the leader of the gangsters, both Miss Barrie and Kendall are killed. But Hale is cleared, for Sanders had trapped Kendall into confessing: what Kendall was saying was broadcast direct to police headquarters. With his work done, Sanders wanders on to new adventures.

Lynn Root and Frank Fenton wrote the screen play, Jack Hively directed it, and Howard Benedict produced it. In the cast are Paul Guilfoyle, Morgan Conway, Robert Emmett Keane, James Burke, and others.

Not for children or adolescents. Adult fare. Class B.

"One Million B.C." with Victor Mature, Carole Landis and Lon Chaney, Jr.

(United Artists, April 5; time, 79 min.)

The outstanding thing about this melodrama of prehistoric times is the good technical work and trick photography, for therein lies its entertainment value; the story, or what there is of it, serves merely as a means of presenting a few exciting situations. One could almost term this a silent picture for, with the exception of the opening scenes, there is very little dialogue; the characters confine their speech mostly to occasional grunts. The picture is at its best in situations where the men fight off the supposed dinosaurs, and when the animals fight each other. But most thrilling is the manner in which the volcanic eruption has been handled; it is realistic. By clever trick photography, ordinary lizards and armadillos appear as enormous prehistoric monsters. In-between the few melodramatic situations, an attempt is made to build up some kind of story and a romance; but both are slightly silly, and only tend to bore one. There is some comedy, which is provoked by the hero's cave-man tactics:—

Victor Mature, who belonged to a clan of brutal killers, after a fight with his father (Lon Chaney, Jr.), leader of the clan, wanders into the land of the Shell People, a clan that believed in work, laughter and kindness. He learns their ways and falls in love with one of the girls (Carole Landis). Mature quarrels with one of the men and is ordered to leave; but he takes with him Miss Landis. After many exciting encounters with dinosaurs, they finally reach his clan. Miss Landis reforms them. After a volcanic eruption, in which some of the tribesmen are killed, the two clans get together and live in harmony.

Mickell Novak, George Baker, and Joseph Frickert wrote the screen play, and Hal Roach and Hal Roach, Jr., directed it; Mr. Roach, Sr., was the producer. In the cast are John Hubbard, Mamo Clark, Nigel DeBrulier, and others.

Suitability, Class A.

**"Man with Nine Lives" with Boris Karloff,
Roger Pryor and Jo Ann Sayers**

(Columbia, April 18; time, 73 min.)

This melodrama, which uses as its central idea the recent experiments made to cure cancer by means of freezing, is just a fair program melodrama. The first half may prove fairly interesting because it shows the methods employed in carrying out the cure; but the second half is pure melodrama—far-fetched and, towards the end, unpleasant, because of the various deaths. The romance is incidental:—

Roger Pryor, a young physician, is annoyed when the head of the hospital forbids him from carrying on further experiments on curing cancer by means of freezing; the head man felt that it should be done as part of the hospital research work. He suggests that Pryor take a short vacation. Pryor, in company with his fiancee (Jo Ann Sayers), a nurse, leaves for the island where a certain doctor had lived and where this doctor, ten years previously, had started the experiments in which Pryor was interested. Pryor is warned not to go to the island; the boatman tells him that the doctor and four other men had disappeared, and that, although ten years had passed, no trace of their bodies had been found. But Pryor and Miss Sayers go to the island. They accidentally come upon a door leading to an underground laboratory. They find the doctor (Boris Karloff) and the four men buried in ice, but still alive. When he is revived, Karloff tells Pryor how they happened to be there; also that they had stayed alive because of a certain poison mixture that they had inhaled. One of the revived men, in a fit of anger, tears up the slip on which the formula had been noted. Karloff goes mad, for that piece of paper had recorded a drug that would have proved a boon to mankind. He kills the four men in his experiments to find the proper mixture. But he is stopped from harming Pryor and Miss Sayers by the timely arrival of the police, who shoot him. Before he dies, Karloff turns over to Pryor all his books containing notes on his experiments, which Pryor in turn hands over to his hospital upon his return.

Harold Shumate wrote the story, and Karl Brown, the screen play; Nick Grinde directed it. In the cast are Stanley Brown, John Dilson, and others.

It may frighten children; suitability Class B.

**"Saps at Sea" with Stan Laurel
and Oliver Hardy**

(United Artists, May 3; time, 57 min.)

Wherever Laurel and Hardy are popular, this comedy should go over well. It is comprised mostly of gags, some of which, though old, are still comical, and some, novel and amusing. Most of the action revolves around Laurel and Hardy; only on occasion do other players appear with them. One of the most comical situations is that in which Laurel and Hardy, stranded on a boat without any food, and threatened with death by a gangster, who had sneaked on the boat when it was still at the dock, unless they would cook a meal for him, put together a synthetic meal, which the gangster finally forces them to eat. The production is not lavish, nor can much be said for the story; yet it is a fairly diverting hour's entertainment:—

Laurel and Hardy work in a horn factory. Hardy's nerves get the best of him, and he is compelled to go home to call for the doctor. The doctor finally arrives and, after an examination, orders Hardy to take a sea trip and to drink goat's milk. But Hardy hated the sea and refuses to go away. Laurel suggests that they rent a boat, keep it at the dock, and in that way get sea air without sailing. Hardy agrees to that. They take along a goat. While they are asleep a murderer hides himself on the boat. The goat chews up the rope that held the boat tied to the dock and the boat drifts out to sea. They awaken the next morning and are terrified not only because they were out at sea, but because they had no food and were confronted by a murderer. They finally are saved by the police, who had set out in a launch to help them get back to shore. The police find the murderer subdued, and advise Laurel and Hardy that a \$5,000 reward awaited them for capturing him.

Charles Rogers, Felix Adler, Gil Pratt, and Harry Langdon wrote the original screen play. Gordon Douglas directed it, and Hal Roach produced it. In the cast are James Finlayson, Ben Turpin, Dick Cramer, Eddie Conrad, and others.

Suitability, Class A.

**"Two Girls on Broadway" with
Lana Turner, George Murphy
and Joan Blondell**

(MGM, April 19; time, 72 min.)

A fairly good back-stage drama, with music and romance. Although the story is routine, it has been handled fairly well and holds one's interest. What it lacks in novelty is made up for in capable performances and in a few good dance routines, one of which is set against an extremely lavish background. Lana Turner may add a few more fans to her list after this picture, for she shows new talents as a capable dancer. The most sympathetic part is that played by Joan Blondell, who wins one's sympathy by her sacrifices:

When George Murphy finally gets his chance as a dancer in New York he sends for his fiancee (Joan Blondell), who lived in a small town with her young sister (Lana Turner). The night club owner (Richard Lane), who had given him his chance, had promised to test also the two sisters for a part in his revue. Immediately upon their arrival, Murphy takes them to the night club. Lane is impressed by Miss Turner, but refuses to give Miss Blondell anything more than a job as cigarette girl. Not wanting to spoil the chances of the others, Miss Blondell accepts the job. Miss Turner and Murphy team up and make a hit. Although they fight against their feelings, Murphy and Miss Turner fall in love with each other. This makes them unhappy, for they did not want to hurt Miss Blondell. Miss Turner decides to marry Kent Taylor, a playboy who had already been married four times, so as to settle everything. But Miss Blondell learns the truth and, even though she loved Murphy, insists that he go after Miss Turner and marry her himself. She then bids them goodbye, pretending that she had been booked for a good engagement. She goes back home, much to the regret of Wallace Ford, a columnist, who admired her.

Edmund Goulding wrote the story, and Joseph Fields and Jerome Chodorov, the screen play; S. Sylvan Simon directed it, and Jack Cummings produced it. In the cast are Otto Hahn, Lloyd Corrigan, Don Wilson, and others.

Suitability, Class A.

**"Alias the Deacon" with Bob Burns,
Mischa Auer, Dennis O'Keefe
and Peggy Moran**

(Universal, May 17; time, 72 min.)

Fair program entertainment. It was first produced in 1927 under the title of this picture, and then again in 1934 as "Half a Sinner." As in most cases of remakes, the interest of those who have seen the previous versions is not held very well, because of the familiarity of the plot. One or two situations are still amusing; the most comical situation is that in which the hero, who posed as a deacon but was in reality a "card sharp," sits down to a card game pretending not to know anything about it. The action is for the most part slow-moving. The fact that Mischa Auer is wasted in a small part, and in poor material at that, is a disappointment. The romance is routine:—

Bob Burns, a professional card player, is forced to leave town. He hides in a truck driven by Dennis O'Keefe, and headed for another town. When his presence is discovered by the truck superintendent, O'Keefe is berated for having taken a passenger, and is discharged. Burns, by posing as a Deacon, wins the respect of the women of the community. He feels sorry for the woman who owned the hotel, for she was about to lose her property; Thurston Hall, who held a demand note for money she owed him, was about to foreclose. Burns, pretending he knew nothing about cards, enters into a poker game with Hall and wins the note, which he tears up. He then helps clear O'Keefe, who was suspected of having stolen a wallet, giving him enough money to start in business. The friendly Sheriff, realizing that Burns was a card sharp, suggests that he leave town quietly; he does so. O'Keefe marries Peggy Moran.

The plot was adapted from the play by John Hymer and LeRoy Clements. Nat Perrin and Charles Grayson wrote the screen play. Christy Cabanne directed it, and Warren Douglas produced it, with Ben Pivar as associate producer. In the cast are Big Boy Williams, Ed Brophy, Spencer Charters, and Jack Carson.

Suitability, Class A.

PRODUCER OFFER: (e) The distributor shall cancel any picture if it should prove objectionable to the people of an exhibitor's community on either moral, racial, or religious grounds. Any disagreement between exhibitor and distributor on this matter shall be arbitrated.

ALLIED COMMENT: Arbitrating a disagreement whether a picture is or is not suitable on moral grounds may tend to advertise the picture. The Department of Justice should study the views on this subject of the public groups that are supporting the Neely Bill.

HARRISON'S REPORTS feel that, in view of the fact that the producers have always contended that the exhibitor would rather cancel a clean picture than a salacious one, the producer should not find it difficult to agree with Allied on this point by letting the exhibitor have his way in this matter, unless, of course, their contention was merely the result of a desire to fight the exhibitors by whatever weapons they could get hold of, as is the common belief.

PRODUCER OFFER: (f) The distributor shall agree to lease singly only one out of each three pictures that he has set at terms higher than 27½%. (A schedule is given stating the number of single pictures to the total for the entire group a distributor may sell on such terms.)

ALLIED COMMENT: The directors are unable to reconcile this provision with other provisions, for it is based on a year's transactions whereas the other provision under the same heading is based on individual transactions. But as a matter of principle they are opposed to it, for if they would agree to it they would be recognizing percentage selling officially, and many exhibitors do not buy on percentage, or if they so buy they are opposed to it.

PRODUCER OFFER: (g) If any preferred time is to be specified in the license agreement, the agreement must specify which pictures it covers.

ALLIED COMMENT: Allied sees no advantage in this provision and sees no reason why the government should tacitly recognize the propriety of fixed play-dates. The dating of pictures should be left to the discretion of the exhibitor, who is most familiar with local conditions. By putting dates into the contract, consulting the exhibitor's wishes is done away with.

HARRISON'S REPORTS' COMMENT: The purpose of designating playing time for pictures is to enable the distributor to take advantage of the exhibitor's best days, which are usually Friday, Saturday and Sunday. It is an unfair advantage in more than one way. First, the exhibitor has certain fixed business for those days, no matter what pictures he plays. In most theatres, at least sixty per cent of the business for those days is constant, no matter what pictures the exhibitor shows. When the distributor, then, demands 35% per cent of the gross receipts for some of his pictures, he takes away from the exhibitor the largest part of his revenue.

The other objection to designating play-dates is this: Friday, Saturday and Sunday have become an American institution in the entertainment business, by reason of the fact that most children go to the shows on those days. Consequently, it should be left to the discretion of the exhibitor to determine what pictures shall be booked on those days. What right has the distributor to designate for those days such pictures as, for example, "Johnny Apollo," "Primrose Path," "Strange Cargo," "The House Across the Bay," "Castle on the Hudson," "My Little Chickadee," "Dr. Ehrlich's Magic Bullet," "Remember the Night," "Of Mice and Men," "Grapes of Wrath," "The Earl of Chicago," "The Hunchback of Notre Dame," "Destry Rides Again," "Day-Time Wife," and the like? Compelling the exhibitors to show such pictures on those days creates a resentment among parents, to the detriment of his business.

PRODUCER OFFER: (h) With the exception of clearance, no lease of pictures to any one theatre shall contain any restrictions upon any other competing (or subsequent-run) theatres such as, for example, admission price schedule; policy of operation (double-featuring).

ALLIED COMMENT: Objection has been made to the exception of clearance. As long as an arbitration machinery is to be provided, clearance should not be given special privileges.

HARRISON'S REPORTS' OPINION: Zoning and clearance should be made as uniform throughout the country as possible. Clearance should be reduced in number of days to a point where every exhibitor would be helped. There is no earthly reason why the affiliated theatres should hold a picture thirty, forty, fifty and even more days before they release it to the subsequent-run theatres. A policy such as this does no good to the protected theatres, and does much harm to the subsequent-run theatres. The producers know this to be true. If the admission prices of the subsequent-

run theatres are not at much variance with the admission prices of the protected theatres, clearance should be reduced to seven days or thereabouts. As to zoning, can any one see any justification in granting some theatres protection from theatres situated thirty-five miles away, or even farther, as is now the case in some instances?

Zoning and clearance should also be so adjusted as to make it possible for one zone to play pictures "day and date" with another zone—with as many zones, in fact, as there are exhibitor takers. Let the matter of picture prices be the determining factor. The fact that affiliated theatres now play "day and date" in proximity to each other should be proof that no harm is done by such a showing. What is sauce for the goose should be sauce for the gander.

(To be continued next week)

"REBECCA" PROVES THE POINT

If anything was ever needed to prove conclusively that the business can prosper only by individual producing and individual selling of pictures, "Rebecca" proves it; the Music Hall has just announced that it will hold it for a sixth week. And Mr. Van Schmus could have no doubt held it for a longer time if it were not for his other contractual obligations.

Six weeks for a motion picture in a theatre that seats more than six thousand persons and gives four performances a day would have been considered unbelievable. But such are the facts.

"Rebecca" was produced, not by the factory method, as one picture of a larger number; it was made individually, by an individual producer—Mr. David O. Selznick, the very man who has always been opposed to block-booking and blind-selling.

If Mr. Selznick can produce his pictures profitably under such a system, so should others, provided they had the ability. If they haven't the ability of producing box-office pictures, why should you be called upon to support them? Let their pictures bring in what they are worth!

Under the present system, it is not ability that usually is rewarded, but lack of ability, for a unit producer's picture is sure to bring in a profit, no matter how poor it is—it is one of a large block; but under the open-market system only ability will be rewarded.

The industry will prosper only if the present creaky producing and selling systems are scrapped.

PICTURES NOW IN PRODUCTION

Universal

"SKI PATROL," with Lulu Deste, Philip Dorn and others. Double-bill program.

"SOUTH TO KARANGA," with Charles Bickford. Program.

"NO EXIT," with Wallace Ford, Donald Woods and others. Program.

INDIANA EXHIBITORS AGAINST "NICKEL-IN-THE-SLOT" MOVIES

The following resolution was passed by the Board of Directors of Associated Theatre Owners of Indiana, at the meeting last month:

"BE IT HEREBY RESOLVED, that the Associated Theatre Owners of Indiana, Inc., go on record as being unanimously and irrevocably opposed to any Producer of motion pictures entering into the production of any film for the so-called "nickel-in-the-slot" movies, inasmuch as these are definitely a threat to the established motion picture theatre owners."

"BE IT FURTHER RESOLVED, that the Producers be requested to give their vigorous support in stamping out this evil by refusing to permit the use for this purpose of any actors, actresses, directors or other personnel now employed in the production of motion pictures."

HEARINGS ON THE TWO NEELY BILLS

Hearings on the Neely Bill S. 3735, which calls for the separation of theatres from production-distribution, have been set before the Senate Committee on the Judiciary on May 13, and on the Edmiston Bill H. R. 145, which calls for the outlawing of block-booking and blind selling, before the House Committee on Interstate and Foreign Commerce on May 16.

The Edmiston Bill is the same as the Neely Bill that has already been passed by the U. S. Senate.

If you want relief, do your stuff!

HARRISON'S REPORTS

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No. 19

ALLIED COMMENT ON THE RECENT PRODUCER PROPOSALS — No. 2

(Continued from last week)

PICTURES AVAILABLE ON SOME RUN

PRODUCER OFFER: Every theatre is to get pictures of some run, and the distributors are not to charge such prices as to defeat the purpose of this provision. Any disagreement will be arbitrated, the arbitrators to have the right to consider the prices paid by theatres in other similar situations.

ALLIED COMMENT: This offer is better than any other offer made to Allied up to this time.

PROVISIONS OF LEASING AGREEMENTS

PRODUCER OFFER: Every contract shall contain as arbitrable the following questions:

(a) Whether the existing clearance is or is not unreasonable.

(b) Overbuying. Buying pictures for 4 months not to be so considered.

(c) Delaying by a prior theatre the playing of pictures.

ALLIED COMMENT: (a) Acceptable by majority of members of board of directors; (b) majority favors this offer, but one member objected to the four-month buying matter; privilege may be abused. Abuse cannot be measured in terms of months. A better yardstick should be devised; arbitrators should be given greater latitude; (c) majority approves.

REMEDY FOR DISCRIMINATION CASES

PRODUCER OFFER: If an independent exhibitor should complain that a distributor, despite these provisions, is discriminating against him in favor of a competing circuit theatre, the question will be subject to arbitration. If the arbitrators should find that (a) the independent theatre is better than the circuit theatre; (b) the distributor had made it a practice of refusing to lease his pictures to the independent theatre without a bona fide excuse; (c) the distributor refused to lease his pictures to the independent theatre because the circuit theatre was part of a theatre circuit, then the arbitrators are to make an award prohibiting the offending distributor from leasing his pictures to the competing circuit theatre except under separate contract for each picture, or for each group of pictures. The award shall provide also that the offending distributor shall not impose upon the offending circuit theatre, nor accept from it, the lease of pictures in that theatre as a condition of leasing them in other circuit theatres.

ALLIED COMMENT: The majority of Allied board members favor this but feel that burden of proof on part of the complainant is too heavy, and that the proposed remedy is inadequate. They suggest that this provision should come into operation (a) if the independent theatre is as good as the competing circuit theatre; (b) steps should be taken to correct the situation, not if the practice had been resorted to over "a period of time," but as soon as it was discovered; (c) favored.

RIGHTS OF NEWLY-ACQUIRED THEATRES

The rights of newly-acquired theatres for leasing pictures should be limited as follows:

PRODUCER OFFER: (a) Beginning with the date on which these offers should be officially accepted, if an individual, firm or corporation operating a theatre or a group of theatres should lease, build, buy, or in any way acquire an interest in an additional theatre, a distributor may lease his pictures to the additional theatre only under a license agreement that relates solely to that theatre, such a theatre to be treated as an independent theatre, and not as part of a circuit.

ALLIED COMMENT: First of all, the directors feel that the major companies should agree to divest themselves of a substantial number of their theatres and should not be permitted to build or acquire new ones unless a public need for such a move exists, provided such a need cannot be met by independent interests, or unless such theatre acquisition or building should be necessary to protect remaining investments in the theatre field.

(a) A majority favor this provision, but still feel that the tendency to discriminate against independent theatres will exist.

PRODUCER OFFER: (b) No distributor shall lease pictures to additional theatres referred to in (a) as part of a leasing agreement involving the leasing of pictures in other theatres, nor shall he impose, or accept, the leasing of pictures in other theatres as a condition of leasing them in the additional theatre.

ALLIED COMMENT: Same comment as in (a).

PRODUCER OFFER: (c) Where an exhibitor ceases operating a theatre in any locality and takes over another theatre in the same locality, the new theatre shall not be considered as an additional theatre unless its seating capacity should be more than 25% greater than the capacity of the discontinued theatre.

ALLIED COMMENT: Allied favors this provision but one director remarked that the 25% margin is too wide, for it enables the circuits to replace existing theatres in the same locality with new theatres of 24½% greater seating capacity. This will enable the circuits to continue their monopoly.

PRODUCER OFFER: (d) All disagreements regarding provisions (a) and (b) shall be arbitrated, with a right of appeal to the administrator from the board's award.

ALLIED COMMENT: "What will be the form of the award, and who will be the administrator?"

HARRISON'S REPORTS OPINION: The Allied query is well-taken, for on the type of the administrator who will be appointed will depend the fairness of the decision.

PRODUCER OFFER: (e) Beginning with the date on which this agreement will go into effect, a distributor may lease his pictures to an additional theatre only under a leasing agreement that relates solely to each of the additional theatres, provided that, if two or more of such theatres have a common ownership dating from the time this agreement went into effect or before, and continue to be so owned, the distributor may include such (commonly owned) theatres in a single leasing agreement, provided they are located in the same exchange district.

ALLIED COMMENT: Allied makes the same criticism as it has made under (a).

PRODUCER OFFER: (f) No distributor shall lease his pictures to the additional theatres referred to in the aforementioned paragraph as a part of a leasing agreement involving the leasing of pictures in other theatres, nor shall he accept the leasing of pictures in the additional theatres as a condition of leasing them in other theatres.

ALLIED COMMENT: Same comment as in (a).

PRODUCER OFFER: (g) Difference of opinion arising under the provisions of this heading (Rights of Newly-acquired Theatres) shall be arbitrable, with the right of appeal to the administrator.

ALLIED COMMENT: The comment Allied made on this point is the same comment that it made under (d) of this heading; that is, "What will be the form of the award, and who will be the administrator?"

HARRISON'S REPORTS OPINION: It finds the Allied query justified.

(Continued on last page)

"My Favorite Wife" with Irene Dunne, Cary Grant, Randolph Scott and Gail Patrick

(RKO, May 17; time, 88 min.)

Very good. Following the style of "The Awful Truth," RKO has again teamed successfully Cary Grant and Irene Dunne in a sophisticated comedy that should find favor with all types of audiences. It is, however, strictly adult fare, for it is pretty suggestive in spots. Considering the thinness and implausibility of the plot, credit must be given the director and the performers for the results. As in "The Awful Truth," the individual situations, the capable performances, and the clever dialogue, more than the story itself, are what count. A few situations provoke hearty laughter. The most comical situation is that in which Grant sees for the first time the handsome, strong man with whom his wife had spent seven years on a desert island; she had told him that her companion had been a puny, insignificant man:—

Seven years after his first wife (Irene Dunne) had been reported drowned in a shipwreck, Grant marries Gail Patrick. But on the very day of the marriage Miss Dunne, who had been washed ashore on a desert island and had finally been rescued, returns. Her two children naturally do not know her, but her mother-in-law is overjoyed at her return and tearfully tells her of the new marriage. Miss Dunne flies to the hotel where Grant was to spend his honeymoon. She manages to see him before he had a chance to go up to his room. He is overjoyed at her return, but they both realize that his position was a difficult one. Miss Dunne returns to her home and Grant arrives there with Miss Patrick. He introduces Miss Dunne as an old family friend. Miss Patrick is at first enraged and later heartbroken because of her "kissless" marriage; she calls in a doctor to help her "cure" Grant. Grant learns that Miss Dunne had had a male companion (Randolph Scott) on the desert island, and becomes jealous. Further complications arise when he sees the man, for his wife had described him as a puny, ordinary man, when in reality he was tall, handsome, and an excellent athlete. After many embarrassing situations, including his arrest as a bigamist, Grant finally tells Miss Patrick the truth; he obtains an annulment of the second marriage, and is happily reconciled with Miss Dunne.

Bella and Samuel Spewack and Leo McCarey wrote the story, Garson Kanin directed it, and Leo McCarey produced it. In the cast are Ann Shoemaker, Scotty Beckett, Mary Lou Harrington, Donald McBride, Granville Bates, and others.

Not for children or adolescents. Adult fare. Class B.

"20 Mule Team" with Wallace Beery

(MGM, May 3; time, 82 min.)

A fair Western. Except for the fact that technically and scenically it is superior to the average western, it does not offer anything in the way of action that is unusual. It is somewhat slow in starting and, during the first half, devotes too much time to personal affairs, resulting in an overabundance of dialogue. Once the story moves outdoors, however, it holds one's attention, partly because of the overpowering beauty of the Death Valley region where the action takes place, and also because of a few exciting situations. Beery gives one of his typical performances as a blustering, "hard-as-nails" mule driver, who finally reforms. There is a romance and some comedy:—

Beery, in company with his Indian swamper (Leo Carrillo), returns with his 20-mule team from the desert with his customary load of borax; he is enraged when Noah Beery, Jr., paymaster for the borax company, informs him that the pay checks had been delayed. Beery tries to induce Marjorie Rambeau, owner of a saloon-hotel, to give him a few drinks on credit, but she refuses, for he already owed her a large bill for drinks and board. Miss Rambeau is worried about her young daughter (Anne Baxter), who, although in love with Beery, Jr., wanted some excitement in her life. Beery returns with another borax load only to find that there still was no pay. Enraged, he storms into a meeting of company officials, demanding his pay. But he is quieted down by a newcomer (Douglas Fowley), who was attending the meeting as a stockholder; no one knew that Fowley and Beery knew each other. Fowley follows him to a saloon and confronts him; he warns Beery that, unless he worked with him, he would divulge the fact that Beery was a killer wanted by the government. Fowley wanted Beery to locate the rich borax mother-lode that the company needed so badly, so that he could claim it himself. Beery locates the mother-lode, but finds Beery, Jr., already there. He was waiting for his partner, who had gone to file a claim, not knowing that the partner had died in the desert. Beery returns to town to consult with Fowley. Learning

that Fowley had shot Miss Rambeau, who had tried to prevent him from going away with her daughter, Beery sets out to get him; he traps and kills him, but is wounded himself. Beery, Jr., enters the claim and marries Miss Baxter. Beery, recovered, becomes the star boarder at Miss Rambeau's hotel.

Robert C. DuSoe and Owen Atkinson wrote the story, and Cyril Hume, E. E. Paracore and Richard Maibaum, the screen play; Richard Thorpe directed it, and J. Walter Ruben produced it. In the cast are Berton Churchill, Arthur Hohl, Clem Bevans, Minor Watson, and others.

Not for children. Suitable for adolescents and adults. Class B.

"In Old Missouri" with Weaver Brothers and Elviry

(Republic, April 17; time, 67 min.)

Suitable program entertainment for small towns and for neighborhood theatres where the Weaver Brothers and Elviry are popular. Those who do not enjoy their brand of comedy may find the picture tiresome, for the story is silly to the extreme and the characters are represented in an exaggerated style. But since these stars have a good following the picture will, in all likelihood, go over where their other pictures have met with success:—

The Weavers—Leon, Frank, June and Loretta—representing the Missouri sharecroppers who felt that they were cheated out of their just earnings, leave for the city to see Thurston Hall, owner of the company, so as to place the facts before him. But they find Hall in a bad way—he was harassed by a nitwit wife (Marjorie Gateson), a spendthrift son (Alan Ladd), and by his partners, who claimed that the company was losing money. Disgusted and nervous, Hall signs a paper turning over all his belongings to the Weaver Brothers, with full authority to do as they pleased; then he runs away. The Weaver Brothers move into Hall's palatial home, and soon get things under control. They find out that the partners had been cheating Hall and the sharecroppers in an effort to compel Hall to sell out to them. The partners, knowing that the Weavers had them trapped, try to have them arrested on the charge that they had murdered Hall and taken over his possessions. The Weavers escape and go back home, where, to their surprise, they find Hall, healthy and happy, working on the plantation. Together with Hall, the Weavers formulate a plan whereby they trick the partners into confessing their guilt, and bring about a reconciliation between Hall, his wife and his son. The business is then run legitimately, and the sharecroppers earn a decent living.

Dorrell and Stuart McGowan wrote the original screen play, Frank McDonald directed it, and Armand Schaefer produced it. In the cast are June Storey, Andrew Tombes, Mildred Shay, and others. Suitability, Class A.

"If I Had My Way" with Bing Crosby and Gloria Jean

(Universal, May 3; time, 93 min.)

The combination of Bing Crosby and Gloria Jean will undoubtedly insure good box-office returns, but judged solely on its merits it is only fair entertainment. The story has human appeal, but it has been handled in a heavy-handed manner, with an excess of dialogue that is tiresome in spots. When Crosby and Gloria sing one forgets all about the story in sheer enjoyment of the music; Gloria's voice has matured and she is really charming. Older folk may enjoy the closing scenes in which a few old-time favorites appear. There is no romance:—

When Gloria's father (Donald Woods) is killed in an accident, his two pals (Crosby and El Brendel) take Gloria to New York to live with her uncle (Allyn Joslyn). But Joslyn and his wife (Claire Dodd), society snobs, deny any relation to the girl and suggest that Crosby might have made a mistake, for another man with a similar name lived on the other end of the street, a poorer section. The man turns out to be Gloria's grand-uncle (Charles Winninger). He and his wife (Nana Bryant), former vaudeville performers, although without funds, are happy to have Gloria. Brendel buys a broken-down Swedish restaurant from an old friend with the savings that Crosby had intended to use for Gloria. But Crosby decides to make the best of things. Through a ruse, he obtains \$5,000 from Joslyn and, with the money, brightens up the place and engages entertainers. It turns out to be a success and every one is happy.

David Butler, William Conselman and James V. Kern wrote the story, and Messrs. Conselman and Kern, the screen play; David Butler directed and produced it. Claire Dodd, Moroni Olsen, and Kathryn Adams are in the cast, and the old-timers are Blanche Ring, Eddie Leonard, Grace LaRue, Trixie Friganza and Mr. Eltinge.

Suitability, Class A.

**"Charlie Chan's Murder Cruise" with
Sidney Toler, Marjorie Weaver
and Lionel Atwill**

(20th Century-Fox, June 21; time, 75 min.)

A fairly good program murder-mystery melodrama. The story is a little involved and, towards the end, somewhat confusing. Nevertheless it should please the followers of this type of melodrama, for the murderer's identity is concealed until the end. There are several exciting situations, during which the lives of a few characters, including the detective's, are endangered. The comedy is again provoked by the detective's young son's making a nuisance of himself in his efforts to help his father. The romance is unimportant:—

Sidney Toler (Charlie Chan), police inspector at Honolulu, receives a call from an old friend, a Scotland Yard inspector, who was travelling incognito, as part of a group of around-the-world travelers headed by Lionel Atwill; he is told that one member of the party had been strangled, and that he was on the trail of the murderer. Toler asks him to wait in his room while he consulted with his chief. By the time Toler returns, he finds the Inspector dead—strangled. Toler receives permission to continue the journey to San Francisco with the group, so as to get to the bottom of the matter. During the trip, another man is killed. But Toler, by clever deduction, finally solves the case; he discovers the identity of the murderer and his assistant, who were both mixed up in a diamond smuggling racket. The murderer is captured, and his assistant killed when he attempts to escape. A romance which had started between Marjorie Weaver and Robert Lowery, whose uncle had been one of the murder victims, and which had been interrupted during the investigation, is finally culminated.

Earl Derr Biggers wrote the story, and Robertson White and Lester Ziffren, the screen play; Eugene Forde directed it, and John Stone produced it. In the cast are Sen Yung, Don Beddoe, Leo Carroll, Cora Witherspoon, and others.

Not for children. Suitable for adolescents and adults. Class B.

**"So This Is London" with George Sanders
and Berton Churchill**

(20th Century-Fox, May 3; time, 84 min.)

This is a fair British-made comedy of program grade. Aside from George Sanders, who plays a small part, and Berton Churchill, all the other players are British actors, unknown to American audiences. The action starts off in a somewhat amusing fashion, although most of the comedy in the first half is suggestive; but the second half is pure slapstick, and is quite silly. The romance is not only of slight importance, but it tends to slow up the action. It is doubtful if the American masses will take more than a mild interest in it, even though the production values are good:—

Robertson Hare, representing his client (Alfred Drayton), arrives in New York with his bride (Mavis Clair), who, although pretty, did not seem able to utter a word. His purpose in taking the trip was to induce Churchill to form a combine with Drayton to handle world-wide distribution of a bread containing a newly discovered vitamin. Churchill, in company with his wife and daughter, leaves for London. But everything about the trip irritates him. They all go to Drayton's home for a week-end party. Since Drayton's servants had all left, Hare has to call for his own two silly housemaids to take care of things; they prove more of a nuisance than a help. In the meantime, Churchill's daughter falls in love with Drayton's son; but they fear to say anything, for both fathers had mean tempers. The discoverer (Sanders) of the new vitamin arrives. Hare's troubles then begin, for not only does he have to keep the business men from quarreling, but is compelled to watch Sanders, who was trying to make love to Hare's wife. To add to Hare's troubles, his wife walks in her sleep, embarrassing him. Annoyed at everything, Hare finally leaves with his wife. But he discovers that Sanders was a fraud, and rushes back to Drayton's home in time to stop him from paying Sanders a large sum of money. Sanders is arrested; the deal is finally closed with the real discoverer. Drayton and Churchill become friends and consent to the marriage.

The plot was adapted from a play by George M. Cohan; William Conselman wrote the screen play, Thornton Freeland directed it, and Robert T. Kane produced it. In the cast are Fay Compton, Carla Lehmann, Lily Cahill, and others.

Too suggestive for children and adolescents. Adult fare. Class B.

**"I Was an Adventuress" with Zorina,
Richard Greene, Erich Von Stroheim
and Peter Lorre**

(20th Century-Fox, May 10; time, 80 min.)

Fair. It is a romantic melodrama with a routine plot. Were it not for the lavish production values, it would be classed as just another program picture; and even with its lavishness it is doubtful if it will draw more than average business, since the players are not strong box-office attractions and the story lacks novelty. Zorina appears in only one striking ballet number—towards the end. Even the romance fails to arouse much interest, because of the obvious way in which it is developed:—

Zorina, Erich Von Stroheim, and Peter Lorre work together in crooked schemes to defraud innocent persons of large sums of money. Zorina leads the victims on by a sad story—that she was a Russian refugee; that she was in need of money and would have to sell her last possession, a family jewel. The victim would usually offer to buy it and then she would switch jewels and give him an imitation. As the next victim, Von Stroheim chooses wealthy Richard Greene. But Zorina falls desperately in love with him, and decides to go straight. Without telling Greene anything about her past, she marries him. Her two companions know nothing of the marriage, but eventually they find out about it and appear at her home. Frightened, she does not tell Greene anything; she introduces them as her relatives. Von Stroheim orders Lorre to steal all the guests' jewels and then make a getaway with him. Zorina and Greene rush after them and try to stop them; but in vain. She finally tells Greene the truth and he forgives her. But Lorre, who felt sorry for Zorina, outwits Von Stroheim and returns the jewels, leading Von Stroheim to believe that he had accidentally dropped them into the ocean. Zorina is happy to be freed from her past.

Karl Tunberg, Don Ettlinger and John O'Hara wrote the screen play, Gregory Ratoff directed it, and Nunnally Johnson produced it. In the cast are Sig Rumann, Fritz Feld, Cora Witherspoon, Egon Brecher, and others.

Not for children. Suitable for adolescents and adults. Class B.

**"Typhoon" with Dorothy Lamour, Robert
Preston and Lynne Overman**

(Paramount, May 17; running time, 71 min.)

Just fair. The story is so thin that it cannot really be called a story; it has been invented merely for the purpose of giving Miss Lamour an opportunity to appear in scant attire, so that the shape of her legs and of her back may be accentuated. There are some melodramatic twists, such as a (home-made) typhoon, and a (home-made) jungle fire. An ape contributes to the doings of the castaways. The color work is poor, particularly when it comes to representing flesh; the faces appear as if made out of "native" copper. And there is, of course, a love affair:—

Dorothy Lamour is shipwrecked and cast ashore upon an uninhabited island in the South Seas. On an island nearby, Lynne Overman, a pearl hunter, tries to induce Robert Preston, a derelict, to join him in his submarine on a pearl fishing expedition, and when Preston refuses to join him Overman starts a fight with a powerful Polynesian chief, in which fight Preston joins. Then Preston has no way out but to escape in Overman's submarine. They touch the island where Dorothy was living. Accidentally, Dorothy comes upon Preston, who was lying unconscious on the beach, the result of weakness caused by drinking. With the help of her trained chimpanzee, she takes Preston to her living quarters. After his recuperation, he wants to leave to go to his friends, but she always manages to hold him. The native crew of the submarine revolt and, after tying Overman and Preston, who had gone to his help, to a tree, enter the submarine and sail away. But the conning-tower hatch does not close and the submarine goes to the bottom. Dorothy frees Overman and Preston. The Polynesian chief, hunting them on his yacht, eventually locates them and attacks them. When they escape into the interior, he sets the jungle afire and the three whites are about to perish when a typhoon arises. The Polynesian's yacht founders and all drown. The rain and the flood put out the forest fire and the castaways are saved. They leave the island in one of the yacht's boats that had been cast ashore.

Steve Fisher wrote the story, and Allen Rivkin, the screen play. Louis King directed it and Anthony Veiller produced it.

Suitability, Class A.

ARBITRATION MACHINERY

PRODUCER OFFER: In eight paragraphs the producers outline the method of (a) the selection of neutral arbitrators, (b) the selection of advisers to such arbitrators, (c) the setting up of an arbitration appeal board, (d) arbitration procedure, (e) apportioning costs of arbitration, (f) imposing sanctions, (g) administration of arbitration machinery, and (h) financing.

ALLIED COMMENT: Allied accepts some of the offers under the different paragraphs, but also makes some criticisms which, however, are not such as to preclude a final agreement if the other proposals should be agreed upon; it also makes some counter suggestions, which could form the basis of discussion.

(**EDITOR'S NOTE:** In next week's issue will be given the Allied comment on the document as a whole.)

FOREWARNING TO THE PRODUCERS

On Monday, this week, the U. S. Supreme Court, in a five-to-two decision, sustained the conviction of twelve Midwest oil corporations and of five individuals for having conspired to violate the Sherman Act by fixing gasoline prices and by other acts intended to establish a monopoly in the oil business. The case had been tried in Madison, Wisconsin, three years ago.

The following are quotations from the sixty-seven page opinion of the majority of the Court, read by Justice Douglas:

"For over forty years, this court has consistently and without deviation, adhered to the principle that price-fixing agreements are unlawful per se under the Sherman Act and that no showing of competitive abuses or evils which those agreements were designed to eliminate or alleviate may be interposed as a defense. . . .

"Under the Sherman Act, a combination formed for the purpose and with the effect of raising, depressing, fixing, pegging or stabilizing the price of a commodity in interstate or foreign commerce is illegal. . . ."

In reference to the fact that the acts of the defendants were done with the knowledge of officers of the Federal Government, Justice Douglas said:

"Though employees of the government may have known of the programs and winked at them, or tacitly approved them, no immunity would have been thereby obtained. . . ."

The Supreme Court's opinion in this case certainly gives powerful support to the Department of Justice in its efforts to break up the monopolies in different industries, particularly in the motion picture industry.

Price fixing is, of course, only one of the accusations contained in the Government's brief against the major picture companies in the equity case now pending in the New York District Court. Block-booking; forcing of short subjects and newsreels; arbitrary designation of play-dates; protection; overbuying, unconscionable, and discriminatory film rentals; prohibition of double features, score charges and other abuses are included in the brief.

Two weeks ago, HARRISON'S REPORTS advised the defendant producers to get together with Allied to adopt a fair and equitable trade practices code for the purpose of settling all disputes, the result of which agreement might be to induce the Government to discontinue the equity suit, but so far the producers have not heeded its advice. This decision of the U. S. Supreme Court's should prove to them that they should have heeded it.

It may not yet be too late. Let Paramount, the worst offender in the lot, stew in its own juice if it prefers trial to a pre-trial settlement. And that it will stew in its own juice if it allows the case to go to trial may be deduced by the findings of the Master in Chancery, in Chicago; he found Paramount, Balaban & Katz, and Barney Balaban guilty of having violated the 1932 consent decree.

THE PERENNIAL FLIMSY EXCUSE

The producers, in an effort to defeat the Neely Bill, assert that, if block-booking and blind-selling were outlawed, the quality of pictures will be no better than it is now, by reason of the fact that no producer starts with the idea of making a bad picture—that a certain percentage of the pictures cannot help being bad under any system.

The very assertion is a sad commentary upon the intelligence of those who make pictures. We admit that no producer starts with the idea of deliberately making a bad picture, but why shouldn't the number of good pictures be

greater than it is now after the years' experience that they have had at picture-making? Why shouldn't they be able to tell that a story is bad when they read it?

Take, for instance, the story and play "Of Mice and Men": Mr. Roach was told in advance that it would not make an entertaining picture; but he went ahead and produced it. And you know the results.

Let us take another story—William Faulkner's "Sanctuary," which was released by Paramount in 1933, under the title, "Temple Drake." An appeal was made to Mr. Zukor to stop its production, but Mr. Zukor, through Mr. Russell Holman, his Eastern story editor, replied that Dr. Wingate, of the Hays office, had already approved it, implying that, because of this fact, the picture could not have turned out poor. And you know how poor the picture turned out. It also caused the revolt of the churches.

Does it take much intelligence to know that stories of this kind cannot make entertaining pictures? Does it require much experience to know that a story such as "Strange Cargo," "Bill of Divorcement," "House Across the Bay," "The Blue Bird," "Earl of Chicago," "A Child Is Born," "Eternally Yours," "The Light That Failed," "Raffles," and hundreds of others are a waste of good money and of excellent star values?

If there are on the coast producers who know no better than to produce pictures of this kind, wasting, not only the company's money, but also preventing the company from making profits, as they would if the stars were put in better stories, let them make them; but give the right to the exhibitor to say whether he should book them or not. In other words, let each picture stand on its own merit, and arrange that those responsible for its production be rewarded in accordance with what the picture takes in at the box office.

The excuse "Nobody starts to make a bad picture," which the opponents of the Neely Bill put forward in order to convince the friends of the proponents of the Bill that no improvement in picture quality can be effected even if block-booking and blind-selling were outlawed, is a poor excuse.

Another excuse that the producers put forward is their inability to produce "experimental pictures" if compulsory block-booking and blind-selling were eliminated. In other words, they want to perpetuate the present system, under which such producers as do not know the difference between a good and a bad story will continue making pictures, letting the exhibitor pay for their mistakes. Is that logic?

On May 13, (not on May 16, as stated last week), the hearings on the Ermiston Bill H. R. 145 (the same as Neely Bill S. 280), will be held before the House Committee on Interstate and Foreign Commerce. Wire your representative to support it.

PICTURES NOW IN PRODUCTION

United Artists

"SOUTH OF PAGO PAGO," with Jon Hall, Victor McLaglen, Frances Farmer and others, produced by Edward Small, and directed by Alfred Green. The combination of Green and Small should make a good production, but it will undoubtedly prove only fair in box office results. It is a South Sea story, featuring the white man's villainy.

"FOREIGN CORRESPONDENT," with Joel McCrea, Lorraine Day, Herbert Marshall and others, produced by Walter Wanger, and directed by Alfred Hitchcock. Mr. Hitchcock is a fine director, but this department does not know much about the story.

"THE LONG VOYAGE HOME," with John Wayne, Thomas Mitchell and others, directed by John Ford. This is the first picture that Mr. Ford, the well known director, is producing independently. The cast doesn't mean much to the box office; the picture's box office value will, therefore, depend largely on the story and Mr. Ford's direction.

"CAPTAIN CAUTION," with Victor Mature, Louise Platt, Bruce Cabot, Leo Carrillo and others, produced by Hal Roach, and directed by Richard Wallace. Poor title; only fair possibilities.

Warner-First National

"BROTHER ORCHID," with Edward G. Robinson, Ann Sothern, Humphrey Bogart, Ralph Bellamy, Allen Jenkins, Donald Crisp and others. The cast is good, but the picture's box-office strength will be determined largely by the quality of the story.

"THE LIFE OF KNUTE ROCKNE," with Pat O'Brien, Gale Page, Ronald Reagan, Owen Davis, Jr., and others. The subject should have been considered made for a box-office picture, but in the opinion of this paper, Pat O'Brien is miscast in the part of dynamic Knute Rockne. The box-office results will, therefore, have to depend largely on the quality of the story and on the direction.

(To be continued next week)

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ALLIED COMMENT ON THE RECENT
PRODUCER PROPOSALS — No. 3

(Concluded from last week)

"The main weakness of the arbitration plan outlined in the proposals," said Mr. Myers's letter to the Attorney General, "is that the committees might be inclined to organize on too expensive a scale. The directors think a careful survey should be made and maximum charges and fees should be established. The thought was expressed that since the entire program arises out of defendants' wrongdoing and is designed for incorporation in a decree of Court, the distributors should bear all or a major part of the burden. To tax the exhibitors is a little like asking them to join in paying the costs of the suit."

HARRISON'S REPORTS' Opinion: These general objections of Allied's are not such as cannot be ironed out in a conference between its representatives and representatives of producers, conferring under the guidance of a representative of the Department of Justice, chosen from among persons who know the picture business and in whom the exhibitors, too, would have confidence.

"There is a reference in the plan," says further Mr. Myers's letter, "to an administrator. That official will have to be identified and his powers defined before his value can be assayed. It is suggested that, since the plan would have to be embodied in a decree, its administration should be vested in the Department of Justice. Ultimate enforcement of its provisions would rest with the Court and prosecutions would have to be conducted by the Department. There would seem to be merit, therefore, in a proposal to designate a member of the staff of the Attorney General to keep in touch with the situation and be prepared to take whatever steps may be necessary to secure observance of the decree. The Government's experience in connection with the consent decrees in the Balaban & Katz and Fox-West Coast Cases proves that its responsibility does not end with the signing of a decree."

HARRISON'S REPORTS has no doubt that the producers will agree to an inclusion of such a provision in the consent decree. A representative of the Department, supervising the enforcement of the provisions of the decree, will undoubtedly prove a deterrent to many a salesman or branch manager who accepts the letter of the Home Office instructions in matters regarding trade practices reforms, but not the spirit.

"In considering the proposals," concludes Mr. Myers, "the Department should bear in mind that there are eighty-odd suits by independent exhibitors against producer-distributors now pending in the courts. Congress by Section 5 of the Clayton Act intended that persons injured in their property and business by violations of the Sherman Law should have the aid of judgments and decrees in Government proceedings as evidence. The burden of proving a combination and conspiracy is usually too great for private litigants to sustain. The section, however, does not apply to consent decrees. Thus under the proposal the defendants not only would escape the fundamental objective of the main suit but would also escape the provisions of Section 5.

"The matter is of such grave importance to our members that the Board of Directors is impelled to ask that the Department abide by its frequently announced determination to insist upon divestiture by the producer-distributors of their theatre holdings. As herein indicated, we are willing that such divestiture be accomplished with as little hardship to the defendants as possible. But for the Government completely to abandon its stand on this measure would cause demoralization in the independent ranks. If the Department is to give serious consideration to any proposal, we ask that we be given an opportunity to make further representations on the subject."

The Allied stand on theatre divestiture is correct and proper, for all the evils in the industry are the result of the sellers' entering into competition with the buyers. The producers' assertion that they have acquired these theatres only for the purpose of employing them as show-windows is hypocritical—they don't need show windows in towns of 100,000 inhabitants or fewer; what prompted them to acquire theatres in such towns was nothing but greed. Since Allied has modified its stand for the purpose of facilitating an agreement for a consent decree, expressing a willingness to let the producers keep their theatres in down-town of big cities, the producers should grasp with gladness the opportunity of accepting the offer, particularly since Allied is willing to stretch the producer disposition of theatres over a period of years.

The opportunity of getting together with Allied is here. It is up to the producers, then, whether they should accept it or not.

THE ZERO HOUR

Under the heading "Zero Hour," the May 3 Allied Bulletin, sent from the organization's Washington office, says:

"Passage of the Neely Bill can be secured at this session if all of its friends roll up their sleeves and go to work. They must now make a supreme effort to enlist the interest and support of their Congressmen.

"Time is of the essence and any work, to be effective, must be done in the next few weeks. . . ."

By the time your copy of this week's issue of HARRISON'S REPORTS reaches you, the hearings on the Erminston Bill H. R. 145 (same as Neely Bill S. 280) will be on, and if you are to act you must act quickly. The producers have conducted a fierce campaign of letter-writing through their film exchanges and it is necessary that you do all you can to offset this campaign.

Incidentally, the producer forces are not united in their opposition to the Neely Bill, despite the fierceness of this campaign. Last week David Selznick and Sam Goldwyn came out in the open against block-booking and, according to my information, which is reliable, the ranks of home office employees of the different companies are split, one-half of them favoring passage of the bill, for they see in the outlawing of block-booking a hope, not only for the industry in general, but for their own lot in particular. They have expressed the conviction that, with this problem out of the way, a new life will be instilled into every branch of the industry. Certainly this news should prove encouraging to you to exert your strongest efforts.

CREDIT FOR A PICTURE'S SUCCESS
OFTEN MISPLACED

When a picture makes an extraordinary success at the box office, we usually attribute it to the star, if a popular star is in the lead. If the lead is a second-rate star, we may attribute it to the director's capable work. If the director should happen not to have produced a similar success, we may attribute it to the author, should the author happen to be known to the public well.

In many cases, our judgment is right. But you have undoubtedly put on your screen pictures that were acted by a first-rank star, and the picture failed. When such is the case, we are prone to blame the director for the poor results.

Again, you have played pictures that did not have a front-rank star in the lead, but was directed by a first-rate director, and yet the picture failed. In such cases, we are prone to blame the lack of box-office names.

(Continued on last page)

**"Murder in the Air" with Ronald Reagan,
Lya Lys, Eddie Foy, Jr., and John Litel**

(First Nat'l., June 1; time, 55 min.)

A fair program Secret Service melodrama. Although the theme is timely, the story is developed in so routine a manner that it offers nothing new. Yet it may hold the interest of the average picture-goer, for the action is fast and in a few situations exciting. There is some slight comedy relief, but no romance:—

Ronald Reagan, a Secret Service Agent, is assigned to a spy case. By taking the place of a man who had been killed in a train accident, and who had been expected by the head of the ring, Reagan becomes a member of the gang. He learns that the leader was James Stephenson, head of a supposed American organization that was preaching intolerance. Reagan's life is endangered when the wife of the dead man he was impersonating arrives; she pretends to agree to work with him, but instead she gives him away to one member of the gang. But Reagan is able to overpower them and turn them over to the Federal authorities without Stephenson finding out anything about it. In line with instructions from Stephenson, Reagan goes aboard a dirigible on which a new ray machine was to be tested. There he contacts Stephenson's agent. But in the meantime, Stephenson learns who Reagan really was and wires his agent to be careful. A storm breaks out and the dirigible crashes. The agent is rescued; no one knows that he had taken with him important plans for the ray. Reagan, who had been injured, is rescued. Upon recovery, he finally traces the agents, gets back the plans, and rounds up the gang.

Raymond Schrock wrote the screen play, Lew Seiler directed it, and Bryan Foy produced it. In the cast are Frank Wilcox, Dick Rich, Robert Warwick, Kenneth Harlan, and others.

Suitability Class A.

**"Torrid Zone" with James Cagney,
Ann Sheridan and Pat O'Brien**

(1st Nat'l., May 25; time, 87 min.)

Very good mass entertainment. The fact that the story is routine does not detract from the picture's diverting quality, for the action is fast-moving, the performances are excellent, and the dialogue, although pretty "racy" in spots, is brisk and comical. James Cagney gives one of his customary forceful performances, provoking hearty laughter by his tough and ready actions and remarks. His meetings with Pat O'Brien result in laugh-provoking situations because of the efforts of each one to outwit the other. It is doubtful if any one will take offense at the various suggestive remarks, for they are put over cleverly. The romance does not slow up the action; as a matter of fact, its development is one of the picture's most amusing features:—

Ann Sheridan, entertainer at a South American cafe, receives orders from O'Brien, head of the largest plantation, who ruled the town, to leave, for he resented a white woman's entertaining natives. She is put in jail until the ship on which she was to sail arrives; there she makes the acquaintance of George Tobias, imprisoned revolutionist, who was to be shot. Tobias escapes. Miss Sheridan is put aboard the ship when it arrives, but resents the manner in which the Captain treated her. Cagney, former manager of the plantation, who had been discharged because of his intimacy with O'Brien's former wife, and who was on the boat en route to the United States, comes to her rescue by throwing the Captain overboard. O'Brien, eager to get Cagney back because of the incompetence of the new manager, makes him a tempting offer to stay. Cagney agrees to take over the job for two weeks, just to set things straight. Miss Sheridan escapes from the boat and hides in Cagney's rooms; he protects her from the police. When Miss Sheridan cheats Cagney in a card game, he tells her he is through with her. But she follows him to the plantation, for she had fallen in love with him. Helen Vinson, wife of the incompetent manager, by making love to Cagney, tries to induce him to take her back with him to the states. She and Miss Sheridan quarrel constantly; Tobias and his band start making trouble for the plantation, and Cagney, enraged, decides to go after him. He captures him and brings him back. But Tobias overpowers his jailers and threatens every one. But Cagney, grateful that Tobias had spared his life when he could have killed him, helps him escape. Miss Vinson and her husband are ordered to leave. Cagney agrees to stay on as manager, with Miss Sheridan as his wife.

Richard Macaulay and Jerry Wald wrote the screen play, William Keighley directed it, and Hal Wallis produced it with Mark Hellinger as associate producer. In the cast are Jerome Cowan, Andy Devine, and others.

A little too rough for children and adolescents. Good adult fare. Class B.

**"The Mysterious Mr. Reeder"
with Will Fyffe**

(Monogram, April 30; time, 63 min.)

As far as American audiences are concerned, this English-made detective melodrama should appeal mostly to those who are ardent followers of this type of stories. Average audiences will find the action somewhat slow-moving, and the accents a little too thick—at times it is difficult for one to understand what is being said. The fact that the players, with the exception of Will Fyffe, are unknown here weakens its box-office possibilities:—

To those who do not know his profession, Fyffe, an investigator attached to Scotland Yard looks like a pleasant old man; but crooks know that he was a shrewd detective. Fyffe, working on a new job to uncover the activities of a gang of counterfeiters, comes upon information that led him to a swanky night club owned by John Warwick. During the investigation, Fyffe's friend and assistant (Romilly Lunge) is killed by George Curzon, brains of the gang. Fyffe is determined to get the murderer. In the meantime, Curzon tells his wife (Chili Bouchier) of the murder and also that he had put the blame on Warwick. Fyffe, by following a few clues, finally arrives at Curzon's apartment. Miss Bouchier, who was in love with Warwick, reveals to Fyffe the truth so as to save her lover.

Edgar Wallace wrote the story, and Jack Raymond directed it, with Charles Q. Steel as producer. In the cast are Kay Walsh, Leslie Waring, Betty Astell, and others.

Not for children. Suitable for adolescents and adults. Class B.

**"Opened by Mistake" with Charles Ruggles,
Robert Paige and Janice Logan**

(Paramount, May 10; running time, 66 min.)

A fair program comedy-melodrama. Although the story is highly implausible, it may entertain patrons who are not too exacting in their demands, for the action, which is at times pretty exciting, holds one in suspense. There is plentiful comedy, and a pleasant romance. The first half is a little slow; the excitement starts in the second half when the hero, a newspaper reporter, who had become involved in a murder, set out to find the murderer and thus prove his innocence. The closing scenes, during which the hero and his pal trap the murderer, are fairly exciting:—

Robert Paige, ace reporter for a metropolitan newspaper, in vain tries to induce his chief (William Frawley) to permit him to take a vacation, so that he could accompany Charles Ruggles, sports writer on the newspaper, to the races. By pretending that he was on the trail of a bank president who had absconded with \$1,000,000 of the bank's money, he obtains a leave of absence and is given a large sum of money for expenses. He then proceeds with Ruggles to the races, where he loses most of the money. When it is supposed to be time for him to return on a ship, he and Ruggles purchase a trunk at an auction sale and take it to the dock. Paige orders that the trunk be sent to his home. When the trunk arrives, he receives a call from Janice Logan, who pleaded with him to sell it to her. They open it and, to their amazement, find in it the body of a dead woman. They both leave in a hurry. The body is found and the police send out a call for Paige. Ruggles promises to help them. They go to the express agent's office, but find him murdered. By checking back with his order book, they obtain the names of those to whom he had delivered trunks on the same day. With that information, they trace the murderer, and accidentally stumble upon the \$1,000,000 that the banker had hidden in one of the trunks. Miss Logan tells them that she was a special agent assigned to trace the missing trunk. With the stories finished, Paige and Miss Logan, who had fallen in love, marry.

Hal Hudson and Kenneth Earl wrote the story, and Stuart Palmer, Garnett Weston, and Louis S. Kaye, the screen play; George Archainbaud directed it, and Stuart Walker produced it. In the cast are Florence Shirley, Laurence Goldsmith, Esther Dale, and others.

Not for children. Suitable for adolescents and adults. Class B.

**"Flight Angels" with Virginia Bruce,
Dennis Morgan, Ralph Bellamy
and Wayne Morris**

(First Natl., May 18; time, 73 min.)

A fair aviation program picture. There's nothing in it to set it apart from other pictures of its type, for the story is familiar, the two air scenes, although thrilling, have been done before, and the romance is routine. These two air scenes are exciting: one of them shows the hero piloting his passenger plane through a thick fog, and the other shows the hero losing consciousness while taking a nose dive during the test of a new plane, reviving in time to straighten out the plane. Aside from that, most of the action is tiresome, for it consists of bickering amongst the hostesses and of romantic squabbles:—

Dennis Morgan, crack pilot for a commercial airline, is in love with Virginia Bruce, one of the hostesses working for his company, but she refuses to take him seriously because of his reputation as a "lady-killer." A periodic medical checkup by the company doctor discloses the fact that Morgan's sight was impaired. As a result, Ralph Bellamy, the manager, is compelled to ground Morgan. Morgan takes his grounding as a personal offense. In order to bolster up his courage, Miss Bruce marries him; he settles down to a ground job—that of teaching the hostesses the rudiments of flying. But their stupidity gets on his nerves and he resigns. Disconsolate because another pilot had been chosen to test the new plane on which he had worked with Wayne Morris, Morgan steals the plane out of the hangar and takes it up himself. He completes the test successfully. Before landing, however, his eyes go bad and he smashes into telegraph wires; but he is unhurt. Bellamy takes away his license, and orders him off the field. In disgust, Morgan decides to go to China to fly war planes, and asks Miss Bruce to get a divorce. But Bellamy prevents Morgan from carrying out his purpose by having him drafted into the U. S. Army, in which he was a reserve officer. His job was to teach army pilots. To his surprise, he finds that he liked the work. He and Miss Bruce are reconciled.

Jerry Wald and Richard Macaulay wrote the story, and Maurice Leo, the screen play; Lewis Seiler directed it, and Edmund Grainger produced it. In the cast are Jane Wyman, John Litel, Dorothea Kent, and others.

Suitability Class A.

**"The Crooked Road" with Edmund Lowe,
Irene Hervey and Henry Wilcoxon**

(Republic, May 10; time, 65 min.)

Just a fair program melodrama. The story is rather sordid, for it deals with characters who use blackmail, murder, and double-crossing to gain their ends. Even though it is established that the hero had been innocent of the charge that had first sent him to the prison from which he had escaped, the fact that he would stoop to murder the man who had been trying to blackmail him and then try to place the blame on some one else deprives him of audience sympathy. The story is developed in a routine fashion, with action that is at times far-fetched and at other times a little exciting. There is a romance:—

Edmund Lowe, a prominent, wealthy attorney, engaged to Irene Hervey, is shocked when he is approached by Arthur Loft, who tries to blackmail him. Loft, who had framed Lowe on a murder charge for which he had been sent to prison and from which he had escaped, demands \$100,000; otherwise he would go to the police. Lowe gives him \$5,000 on account and promises to bring the rest in a few days. Learning that Loft's wife had been having an affair with another man (Paul Fix), Lowe plans to kill Loft and place the blame of Fix. In the meantime, Fix, who had learned about the money Loft had received, plots with Loft's wife to do away with him. He substitutes poison tablets for those Loft had been taking. Lowe shoots Loft, not knowing that he was already dead from the poison. Fix is arrested, tried, and sentenced to the death penalty. His attorney interests Henry Wilcoxon, a noted lawyer and friend of Lowe's, in the case. Wilcoxon proves that Fix could not have done the shooting; continuing the investigation he finds out the truth about Lowe. He is heartbroken. Lowe is arrested, tried and sentenced to the death penalty. But again Wilcoxon comes upon information proving that Loft had died from the poison. Lowe is freed on that charge, but is taken back to the prison from which he had escaped to finish his term. Miss Hervey and Wilcoxon, who loved each other, bid Lowe goodbye.

E. E. Paramore, Jr., and Richard Blake, wrote the story, and Garnett Weston and Joseph Krungold, the screen play; Phil Rosen directed it, and Robert North produced it. In the cast are Claire Carleton, Charles Lane, and others.

Not for children or adolescents. Adult fare. Class B.

PICTURES NOW IN PRODUCTION

(Concluded from back page)

Republic

"WAGONS WESTWARD," with Chester Morris and Anita Louise. Perhaps an exciting western.

"GRAND OLD OPRY," with the Weaver Brothers. Perhaps an amusing program picture.

RKO

"LUCKY PARTNERS," with Ginger Rogers and Ronald Colman, directed by Lewis Milestone. Good to very good.

"\$1,000 MARRIAGE," with Leon Errol, Dennis O'Keefe, Adele Pearce, and others. Program.

"CROSS COUNTRY ROMANCE," with Gene Raymond, Wendy Barrie, Hedda Hopper, and Berton Churchill, produced by Cliff Reid. Fairly good.

"HAVE IT YOUR OWN WAY," with Maureen O'Hara, Louis Hayward, Lucille Ball, Mary Carlisle, Edward Brophy, Ernest Truex and others, produced by Erich Pommer and directed by Roy Del Ruth. Fairly good box office.

"MILLIONAIRES IN PRISON," with Lee Tracy, Linda Hayes, and others, produced by Howard Benedict. Program.

"DREAMING OUT LOUD," with Lum 'n' Abner, Frank Craven, Robert Wilcox, Bobs Watson and others, directed by Harold Young. Program.

"DR. CHRISTIAN No. 3." A program picture.

Twentieth Century-Fox

"THE BRAT," with Jane Withers and Kent Taylor. Fairly good.

"ELSA MAXWELL'S PUBLIC DEB No. 1," with George Murphy, Mischa Auer, Brenda Joyce, Charlie Ruggles, Elsa Maxwell, Ralph Bellamy, Berton Churchill, Franklin Pangborn and others, produced by Gene Markey and directed by Gregory Ratoff. Good.

"PIER 13," with Lloyd Nolan and Lynn Bari. Program.

"STREET OF MEMORIES," with Guy Kibbee, Lynne Roberts and others. Program.

"BRIGHAM YOUNG," with Tyrone Power, Linda Darnell, Brian Donlevy, Mary Astor, Tully Marshall and others, produced by Kenneth Macgowan and directed by Henry Hathaway. Good to very good box office possibilities.

"THE GIRL FROM AVENUE A," with Jane Withers, Kent Taylor, Laura Hope Crews and others, produced by Sol Wurtzel. A program picture.

"THE RETURN OF FRANK JAMES," with Henry Fonda, Andrea Leeds, Jackie Cooper, J. Edward Bromberg, Henry Hull, Donald Meek and others, produced by Kenneth Macgowan, and directed by Fritz Lang, to be photographed in technicolor. It is manifest that Twentieth Century-Fox, in producing this picture, hopes to duplicate the success of "Jessie James," but experience has demonstrated that very seldom does a sequel make the success of the model. In this particular case, the lead is not as good a drawing card as the lead in the first picture, even though the cast on the whole is good. Perhaps it will perform well at the box office if the story should prove appealing.

Universal

"THE BOYS FROM SYRACUSE," with Allan Jones, Joe Penner, Martha Raye, Rosemary Lane, Irene Hervey, Alan Mowbray, Eric Blore, Charles Butterworth, and Samuel S. Hinds, produced by Jules Levey, and directed by Edward Sutherland. This is the first picture that Jules Levey (formerly "Levy"), erstwhile general sales manager for RKO, under Ned Depinet, has produced. The plot has been founded on the George Abbott, Richard Rodgers and Lorenz Hart musical success. The cast is good and the picture should turn out from good to very good, with box-office results of a similar degree.

"BLACK DIAMONDS," with Richard Arlen, Andy Devine, Kathryn Adams and others, produced by Ben Pivar and directed by Christy Cabanne. Fairly good.

"A MODERN MONTE CRISTO," with Victor McLaglen and John Loder, produced by Marshall Grant and directed by Harold Shuster. Marshall Grant was once in the Universal story department and understands story material well; therefore the picture should turn out good from a quality point of view, its box-office results depending on the drawing powers of Victor McLaglen.

Still again, you have played pictures that were founded on a famous book, or on a play that performed on Broadway a long time, and yet the picture proved a box-office failure. In such a case, we may blame anybody—any guess is as good as another.

Though a picture's box office success may often be attributed to the right factor, such as star, director, author, or proper exploitation, frequently it is owed almost exclusively to the writer who wrote the treatment. A good treatment-writer may often take a bad story and so alter some of the situations and the characterizations, that he turns a failure into a success.

The reason why the author who manipulated the treatment does not get the credit that rightly belongs to him is owed to the fact that picture-making is a composite art; therefore, it is difficult for one to know that it is he who deserves the credit. To place the credit on such a writer it is necessary for one to have read the story so that he might be enabled to know in what particulars did the writer alter situations and characterization; and he must have some dramatic training to be enabled to know whether these alterations improved the story or not.

The importance of a treatment-writer cannot be overestimated; and yet he must remain in obscurity. Often his name is not even mentioned in the introductory title of the picture.

The person who, more than any one else at a studio, knows the ability of this type of writers is the unit producer, and the first credit for the successful box-office results must, as HARRISON'S REPORTS said once before in these columns, go to him, for it is he who selects the writer for the treatment of the story handed to him by the executive producer, and consequently it is he who will determine whether a treatment does or does not fulfil the requirements. But he, too, like the treatment-writer, occupies, with rare exceptions, an obscure position, so far as the public is concerned.

When block-booking is outlawed, as is inevitable, and picture-producing is put on the unit system, then we may know something more about this type of artists; it will be easier then for one to make a check-up.

Writing on the subject, Mr. Welford Beaton, publisher of the Hollywood *Spectator*, said in a recent issue partly:

"When block booking is abolished and production and exhibition are divorced, the exhibitor is going to be the biggest man in filmdom. He will be in a position to buy only the pictures that he feels will please his patrons, will buy them after they are made, and to get those he wants he no longer will have to buy others he does not want and which he knows will not pay their way when shown in his theatre.

"The effect of the new order of things will be to put an end to the mass-making of pictures which are sold before they are made. Each will be an individual production which will be sold on its own merits, and the people who will be the most successful in meeting the market requirements are the present associate [unit] producers and producer-directors. . . .

"It is important, therefore, that an exhibitor . . . should keep a record of the names of the individual producer, the writer and the director, and if the three names appear in the list of credits of another picture, he may be sure it will please his patrons, even though there be no outstanding star names in the cast. . . ."

Splitting up production into units, along with the elimination of block-booking and blind-selling, should pull the industry out of the rut into which it has sunk. No one person can produce fifty-two picture a year, as is the case today, and make them good; not even a dozen pictures—it is not humanly possible, for the week has not enough days in which such a person may do all the work himself.

PICTURES NOW IN PRODUCTION

Warner-First National

"*EPISODE*," with Olivia de Havilland, Jeffrey Lynn and others. Perhaps program.

"*THE SENTENCE*," with George Brent and Virginia Bruce, produced by Edmund Grainger, and directed by Victor Sherman. According to an item in the trade papers, this is a remake of Somerset Maugham's play "The Letter." Although it has dramatic power it is unpleasant and, therefore, is limited in appeal. Only fair possibilities.

"*THEY DRIVE BY NIGHT*," with George Raft, Ann Sheridan, Ida Lupino, Humphrey Bogart and others, produced by Mark Hellinger and directed by Raoul Walsh. Its box office merit should be measured by Mr. Raft's popularity.

"*NO TIME FOR COMEDY*," with Rosalind Russell, James Stewart, Charles Ruggles, and Genevieve Tobin, produced by Robert Lord, and directed by William Keighley. The plot has been based on the S. N. Behrman stage play, in which Katherine Cornell appeared. It is a sophisticated comedy-drama. Perhaps good to very good box office results.

Columbia

"*THE HOWARDS OF VIRGINIA*," with Cary Grant, Martha Scott and others, produced and directed by Frank Lloyd. The plot has been founded on the novel "Tree of Liberty," by Elizabeth Page. Good to very good.

"*ARIZONA*," with Jean Arthur, William Holden and Warren William, produced and directed by Wesley Ruggles. Fairly good to good.

"*KEEP 'IM ALIVE*," with Jack Holt. A Larry Darmour program.

"*FIVE LITTLE PEPPERS*," with Edith Fellows. Program.

"*BLONDIE* No. 6." Program.

"*GIRLS OF THE ROAD*," with Helen Mack, Lola Lane and Ann Dvorak. Program.

Metro-Goldwyn-Mayer

"*PHANTOM RAIDERS*," with Walter Pidgeon and Florence Rice. Program.

"*I LOVE YOU AGAIN*," with William Powell, Myrna Loy, Frank McHugh and Edmund Lowe, directed by W. S. VanDyke. Very good to excellent.

"*OLD LADY 31*," with Charles Coburn, Beulah Bondi, Billie Burke and others, produced by Frederick Stephani. One of the top MGM program pictures.

"*STRIKE UP THE BAND*," with Mickey Rooney. Very good to excellent.

"*ONE CAME HOME*," with Robert Young, Maureen O'Sullivan, Lewis Stone, and William Gargan. Fairly good to good.

"*GOLD RUSH MAISIE*," with Ann Sothern, Virginia Weidler and others, directed by Edwin L. Marin. From fairly good to good.

"*TO OWN THE WORLD*," with Lana Turner, John Shelton and Gene Lockhart, produced by Seymour Neberzahl and directed by Harold S. Bucquet. Program.

Paramount

"*A NIGHT AT EARL CARROLL'S*," with Ken Murray, Rose Hobart, Blanche Stewart, the Earl Carroll girls and others, produced by Earl Carroll. Undoubtedly a leg show with music.

"*TEXAS RANGERS RIDE AGAIN*," with John Howard, Ellen Drew, May Robson and others, produced by Harold Hurley. Program.

"*RANGERS OF FORTUNE*," with Fred MacMurray, Patricia Morison, Gilbert Roland and others, directed by Sam Wood. Its box office value depends largely on Mr. MacMurray.

"*DANCING ON A DIME*," with Grace MacDonald. Program.

"*COMIN' ROUND THE MOUNTAIN*," with Bob Burns, Una Merkel and others, directed by George Archainbaud. Its box-office pull should be measured by Mr. Burns' popularity.

"*MYSTERY RAIDER*," with Carole Landis, Henry Wilcoxon and Onslow Stevens, produced by Eugene Zukor. Program.

"*HOST MUSIC*," with Bing Crosby, Mary Martin, Basil Rathbone and others, produced by Paul Jones and directed by Victor Schertzinger. Because of the fact that Mr. Schertzinger has had musical education, this picture should surely turn out in quality better than the average Crosby picture, its box-office results in each theatre depending on Mr. Crosby's popularity.

(Concluded on inside page)

HARRISON'S REPORTS

Vol. XXII

NEW YORK, N. Y., SATURDAY, MAY 18, 1940

No. 20

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RELEASE SCHEDULE FOR FEATURES

Columbia Features

(729 Seventh Ave., New York, N. Y.)

1203	Two Fisted Rangers—Starrett (62 min.)	Jan. 4
1018	Music in My Heart—Martin-Hayworth	Jan. 10
1033	His Girl Friday—Grant-Russell	Jan. 18
1019	The Lone Wolf Strikes—William	Jan. 26
1034	Convicted Woman—Hudson-Ford	Jan. 31
1212	Pioneers of the Frontier—Elliott (58 min.)	Feb. 1
1020	Five Little Peppers at Home—Fellows	Feb. 8
1014	Blondie on a Budget—Singleton-Lake	Feb. 29
1204	Bullets for Rustlers—Starrett (58 min.)	Mar. 5
1027	Outside the Three-Mile Limit—Holt	Mar. 7
1035	Men Without Souls—Litel-Hudson	Mar. 14
1004	Too Many Husbands—Arthur-MacMurray	Mar. 21
1205	Blazing Six Shooters—Starrett (61m.) (r.)	Apr. 4
1017	The Man With Nine Lives—Karloff (re.)	Apr. 18
1005	The Doctor Takes a Wife—Young-Milland	Apr. 25
1213	Man From Tumbleweeds (Block "K" Rides Tonight)—All Star western (59 min.)	May 2
	Babies For Sale—Hudson-Ford (reset)	May 16
	Island of Doomed Men—Peter Lorre	May 20
1206	The Lone Wolf Meets a Lady—William	May 30
	Texas Stagecoach—Starrett (59 min.)	June 6
	Passport to Alcatraz—Jack Holt	June 6
	Girls of the Road—Dvorak-Lane-Mack	June 13
	Blondie Beware—Penny Singleton	June 27
1214	The Return of Wild Bill—Elliott	June 27
	Five Little Peppers Abroad—Fellows	June 30

("Ten Days in Paris," listed in the last Index as an April 30 release, has been postponed)

First National Features

(321 W. 44th St., New York, N. Y.)

459	Castle on the Hudson—Garfield	Feb. 17
457	Dr. Ehrlich's Magic Bullet—Robinson	Mar. 2
465	Three Cheers for the Irish—P. Lane	Mar. 16
456	'Til We Meet Again—Oberon-Brent-O'Brien	Apr. 20
468	An Angel From Texas—Albert-R. Lane-Morris	Apr. 27
466	Flight Angels—Bruce-Bellamy-Morris (74m.)	May 18
455	Torrid Zone—Cagney-Sheridan-O'Brien	May 25
472	Murder in the Air—Reagan-Litel	June 1
	A Fugitive From Justice—Pryor-Douglas	June 15
	All This and Heaven Too—Davis-Boyer	June 29

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

23	Strange Cargo—Gable-Crawford	Mar. 1
27	The Ghost Comes Home—F. Morgan-Burke	Mar. 8
28	Young Tom Edison—Rooney-Bainter-Weidler	Mar. 15
	No release for	Mar. 22
29	Florian—Young-Gilbert-Bowman-Coburn	Mar. 29
32	And One Was Beautiful—Cummings-Day	Apr. 5
30	Dr. Kildare's Strange Case—Ayres-Day	Apr. 12
33	Two Girls on Broadway—Turner-Blondell	Apr. 19
34	Forty Little Mothers—Cantor-R. Morgan	Apr. 26
35	20 Mule Team—Beery-Carrillo-Baxter	May 3
36	Edison, the Man—Tracy-Johnson-Travers	May 10
37	Waterloo Bridge—R. Taylor-V. Leigh	May 17
38	The Stars Look Down—Redgrave-Lockwood	May 24
39	Susan and God—Crawford-March	May 31

Monogram Features

(1270 Sixth Ave., New York, N. Y.)	
3912	Gentleman from Arizona—MacDonald (76m.) Dec. 25
3930	Danger Ahead—Renfrew No. 4 (60 min.) Jan. 10
3918	The Secret Four—Lee-Lawton Jan. 15
3907	Fatal Hour—Karloff No. 1 Jan. 15
3922	Hidden Enemy—Hull-Linaker Jan. 20
3961	Pioneer Days—Randall (51 min.) Jan. 25
3917	Chasing Trouble—Frankie Darro Jan. 30
3924	East Side Kids—Moore-Barnett Feb. 10
3962	Cheyenne Kid—Jack Randall (49 min.) Feb. 20
3928	Murder on the Yukon—Newill (58 min.) Feb. 25
3953	Rhythm of the Rio Grande—Ritter (53 min.) Mar. 2
3916	Human Monster—Bela Lugosi Mar. 9
3921	Midnight Limited—King-Reynolds Mar. 20
3902	Son of the Navy—Dunn-Parker-Spellman Mar. 30
3911	Tomboy—Jackie Moran-Marcia M. Jones Apr. 5
3963	Covered Wagon Trails—Randall (52 min.) Apr. 10
3929	Sky Bandits (Terror of the Sky)— James Newill (59 min.) Apr. 15
3954	Pals of the Silver Sage—Ritter (52 min.) Apr. 20
3926	Mysterious Mr. Reeder (Missing People)— Will Fyffe (63 min.) Apr. 30
3964	Land of Six Guns—Jack Randall May 2
3955	Cowboy From Sundown—Ritter (58m.) (r.) May 9
3965	Kid from Santa Fe—Jack Randall May 23
	Riders From Nowhere—Jack Randall May 30
	Amateur Detective—Frankie Darro June 11
	Queen of the Yukon—No cast set June 18
	Ridin' the Trail—Fred Scott June 27

Paramount Features

(1501 Broadway, New York, N. Y.)	
3927	The Farmer's Daughter—Raye-Ruggles Mar. 29
3928	Adventure in Diamonds—Brent-Miranda Apr. 5
3929	Dr. Cyclops—Dekker-Logan-Coley Apr. 12
3931	(3935) The Light of the Western Stars— Jory-Sayers (65 min.) (reset) Apr. 19
3930	French Without Tears—Milland-Drew (re.) Apr. 26
3932	Buck Benny Rides Again—Benny-Rochester May 3
3933	Opened By Mistake—Ruggles-Logan (66m.) May 10
3934	Typhoon—Lamour-Preston-Overman May 17
3935	(3931) The Biscuit Eater—Billy Lee (re.) May 24
3936	Those Were the Days—Holden-Granville May 31
3958	Hidden Gold—William Boyd June 7
3937	Safari—Carroll-Fairbanks, Jr. June 14
3938	The Way of All Flesh—Tamiroff (reset) June 21
3939	Queen of the Mob—Bellamy-Yurka June 28

Republic Features

(1776 Broadway, New York, N. Y.)	
920	Forgotten Girls—Platt-Woods-Gibson Mar. 15
942	Rancho Grande—Autry (68 min.) Mar. 22
991	Ghost Valley Raiders—Barry (68 min.) Mar. 26
129	Hi-Yo Silver—Lee Powell-Brix (69 min.) Apr. 10
954	Young Buffalo Bill—Roy Rogers (59 min.) Apr. 12
901	Dark Command—Trevor-Wayne-Pidgeon Apr. 15
921	In Old Missouri—Weaver Bros.-Elviry Apr. 17
922	Grandpa Goes to Town—Gleason-Davenport Apr. 19
965	Covered Wagon Days—Three Mesq. (57m.) Apr. 22
923	The Crooked Road—Lowe-Wilcoxson May 10
943	Gaucho Serenade—Gene Autry (69 min.) May 10

RKO Features

(1270 Sixth Ave., New York, N. Y.)	
083	Bullet Code—George O'Brien Apr. 5
009	Abe Lincoln in Illinois—R. Massey Apr. 19
027	Curtain Call—Read-Archer-Vinson Apr. 26
024	Irene—Neagle-Milland-Roland-Robson May 3
031	Beyond Tomorrow—Winninger-Parker May 10
025	My Favorite Wife—Dunne-Grant-Scott May 17
032	You Can't Fool Your Wife—Ball-Ellison May 24
028	Bill of Divorcement—O'Hara-Menjou May 31
033	The Saint Takes Over—Sanders-Barrie June 7

Twentieth Century-Fox Features

(444 W. 56th St., New York, N. Y.)	
033	They Came By Night—Fyffe-Hulme Feb. 23
035	Charlie Chan in Panama—Toler-Rogers Mar. 1
	No release set for Mar. 8
040	The Grapes of Wrath—Fonda-Darwell Mar. 15
025	The Blue Bird—Temple-Byington-Jason Mar. 22
037	Free, Blonde and 21—Bari-Davis-Wilcoxon Mar. 29
036	Star Dust—Darnell-Payne-Young Apr. 5
039	Viva Cisco Kid—Romero-Rogers Apr. 12
042	Johnny Apollo—Power-Lamour-Arnold Apr. 19
041	Shooting High—Withers-Autry Apr. 26
043	So This Is London—Sanders-Churchill May 3
038	I Was an Adventuress—Zorina-Greene May 10
044	The Jones Family in On Their Own— Byington May 17
045	Lillian Russell—Faye-Ameche-Fonda May 24
046	Marriage in Transit—not set May 31
034	Earthbound—Baxter-Leeds-Bari June 7
047	Four Sons—Ameche-Hughes-Curtis June 14
048	Charlie Chan's Murder Cruise—Toler June 21
049	Lucky Cisco Kid—Romero-Hughes June 28

United Artists Features

(729 Seventh Ave., New York, N. Y.)	
Turnabout—John Hubbard-Carole Landis May 17	
Our Town—Frank Craven-Martha Scott May 24	

Universal Features

(1250 Sixth Ave., New York, N. Y.)	
4021	Oh, Johnny, How You Can Love— Brown-Moran Jan. 5
4009	The Invisible Man Returns—Hardwicke Jan. 12
4061	West of Carson City—Brown (55 min.) Jan. 19
4041	Green Hell—Fairbanks, Jr.-J. Bennett Jan. 26
4055	Danger on Wheels—Arlen-Devine Feb. 2
4004	My Little Chickadee—Fields-West Feb. 9
4038	Honeymoon Deferred—Lowe-Lindsay Feb. 16
4032	Framed—Cowan-Moore-Albertson Feb. 23
4034	Double Alibi—Morris-Lindsay Mar. 1
4025	Zanzibar—Craig-Lane Mar. 8
4022	Ma! He's Making Eyes at Me!— Brown-Moore Mar. 15
4001	It's a Date—Durbin-Francis-Pidgeon Mar. 22
4040	Half a Sinner—Angel-King Apr. 5
4062	Riders of Pasco Basin—Brown (56 min.) Apr. 5
4018	Black Friday—Karloff-Ridges-Nagel Apr. 12
4013	House of Seven Gables—Lindsay-Sanders Apr. 12
4033	Enemy Agent—Cromwell-Vinson Apr. 19
	If I Had My Way—Crosby-Jean (reset) May 3
	Ski Patrol—Desti-Dorn (64 min.) (reset) May 10
4015	Alias the Deacon—Burns-Auer May 17
4056	Hot Steel—Arlen-Devine May 24
	La Conga Nights—Herbert-Moore-O'Keefe May 31
4063	Ead Man From Red Butte—Brown-Baker May 31
	No Exit—Ford-Adams June 7
	Sandy Is a Lady—Baby Sandy-Auer-Grey June 14
	I Can't Give You Anything But Love— Crawford-Moran June 21

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)	
415	A Child Is Born—Fitzgerald-Lynn-George Jan. 6
406	Brother Rat and a Baby—Lane-Bryan-Morris Jan. 13
416	British Intelligence—Karloff-Lindsay Jan. 20
420	Calling Philo Vance—Stephenson-O'Neill Feb. 3
421	Granny Get Your Gun—Robson-Davenport Feb. 10
404	Virginia City—Flynn-Hopkins-Scott Mar. 23
407	It All Came True—Sheridan-Lynn-Bogart Apr. 6
422	King of the Lumberjacks—Payne-Dickson Apr. 13
423	Tear Gas Squad—Morgan-Dickson-Payne May 4
410	Saturday's Children—Garfield-Shirley May 11
	Brother Orchid—Robinson-Sothern-Bogart June 8
	Gambling on the High Seas—Morris (reset) June 22

HARRISON'S REPORTS

Vol. XXII

NEW YORK, N. Y., SATURDAY, MAY 18, 1940

No. 20

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20 Mule Team—MGM (82 min.)	74
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RELEASE SCHEDULE FOR FEATURES

Columbia Features

(729 Seventh Ave., New York, N. Y.)

1203 Two Fisted Rangers—Starrett (62 min.)	Jan. 4
1018 Music in My Heart—Martin-Hayworth	Jan. 10
1033 His Girl Friday—Grant-Russell	Jan. 18
1019 The Lone Wolf Strikes—William	Jan. 26
1034 Convicted Woman—Hudson-Ford	Jan. 31
1212 Pioneers of the Frontier—Elliott (58 min.)	Feb. 1
1020 Five Little Peppers at Home—Fellows	Feb. 8
1014 Blondie on a Budget—Singleton-Lake	Feb. 29
1204 Bullets for Rustlers—Starrett (58 min.)	Mar. 5
1027 Outside the Three-Mile Limit—Holt	Mar. 7
1035 Men Without Souls—Litel-Hudson	Mar. 14
1004 Too Many Husbands—Arthur-MacMurray	Mar. 21
1205 Blazing Six Shooters—Starrett (61m.) (r.)	Apr. 4
1017 The Man With Nine Lives—Karloff (re.)	Apr. 18
1005 The Doctor Takes a Wife—Young-Milland	Apr. 25
1213 Man From Tumbleweeds (Block "K" Rides Tonight)—All Star western (59 min.)	May 2
Babies For Sale—Hudson-Ford (reset)	May 16
Island of Doomed Men—Peter Lorre	May 20
The Lone Wolf Meets a Lady—William	May 30
1206 Texas Stagecoach—Starrett (59 min.)	June 6
Passport to Alcatraz—Jack Holt	June 6
Girls of the Road—Dvorak-Lane-Mack	June 13
Blondie Beware—Penny Singleton	June 27
1214 The Return of Wild Bill—Elliott	June 27
Five Little Peppers Abroad—Fellows	June 30

("Ten Days in Paris," listed in the last Index as an April 30 release, has been postponed)

First National Features

(321 W. 44th St., New York, N. Y.)

459 Castle on the Hudson—Garfield	Feb. 17
457 Dr. Ehrlich's Magic Bullet—Robinson	Mar. 2
465 Three Cheers for the Irish—P. Lane	Mar. 16
456 'Til We Meet Again—Oberon-Brent-O'Brien	Apr. 20
468 An Angel From Texas—Albert-R. Lane-Morris	Apr. 27
466 Flight Angels—Bruce-Bellamy-Morris (74m.)	May 18
455 Torrid Zone—Cagney-Sheridan-O'Brien	May 25
472 Murder in the Air—Reagan-Litel	June 1
A Fugitive From Justice—Pryor-Douglas	June 15
All This and Heaven Too—Davis-Boyer	June 29

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

23 Strange Cargo—Gable-Crawford	Mar. 1
27 The Ghost Comes Home—F. Morgan-Burke	Mar. 8
28 Young Tom Edison—Rooney-Bainter-Weidler	Mar. 15
No release for	Mar. 22
29 Florian—Young-Gilbert-Bowman-Coburn	Mar. 29
32 And One Was Beautiful—Cummings-Day	Apr. 5
30 Dr. Kildare's Strange Case—Ayres-Day	Apr. 12
33 Two Girls on Broadway—Turner-Blondell	Apr. 19
34 Forty Little Mothers—Cantor-R. Morgan	Apr. 26
35 20 Mule Team—Beery-Carrillo-Baxter	May 3
36 Edison, the Man—Tracy-Johnson-Travers	May 10
37 Waterloo Bridge—R. Taylor-V. Leigh	May 17
38 The Stars Look Down—Redgrave-Lockwood	May 24
39 Susan and God—Crawford-March	May 31

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

3912 Gentleman from Arizona—MacDonald (76m.) Dec. 25
 3930 Danger Ahead—Renfrew No. 4 (60 min.) Jan. 10
 3918 The Secret Four—Lee-Lawton Jan. 15
 3907 Fatal Hour—Karloff No. 1 Jan. 15
 3922 Hidden Enemy—Hull-Linaker Jan. 20
 3961 Pioneer Days—Randall (51 min.) Jan. 25
 3917 Chasing Trouble—Frankie Darro Jan. 30
 3924 East Side Kids—Moore-Barnett Feb. 10
 3962 Cheyenne Kid—Jack Randall (49 min.) Feb. 20
 3928 Murder on the Yukon—Newill (58 min.) Feb. 25
 3953 Rhythm of the Rio Grande—Ritter (53 min.) Mar. 2
 3916 Human Monster—Bela Lugosi Mar. 9
 3921 Midnight Limited—King-Reynolds Mar. 20
 3902 Son of the Navy—Dunn-Parker-Spellman Mar. 30
 3911 Tomboy—Jackie Moran-Marcia M. Jones Apr. 5
 3963 Covered Wagon Trails—Randall (52 min.) Apr. 10
 3929 Sky Bandits (Terror of the Sky)—
 James Newill (59 min.) Apr. 15
 3954 Pals of the Silver Sage—Ritter (52 min.) Apr. 20
 3926 Mysterious Mr. Reeder (Missing People)—
 Will Fyffe (63 min.) Apr. 30

3964 Land of Six Guns—Jack Randall May 2
 3955 Cowboy From Sundown—Ritter (58m.) (r.) May 9
 3965 Kid from Santa Fe—Jack Randall May 23
 Riders From Nowhere—Jack Randall May 30
 Amateur Detective—Frankie Darro June 11
 Queen of the Yukon—No cast set June 18
 Ridin' the Trail—Fred Scott June 27

Paramount Features

(1501 Broadway, New York, N. Y.)

3927 The Farmer's Daughter—Raye-Ruggles Mar. 29
 3928 Adventure in Diamonds—Brent-Miranda Apr. 5
 3929 Dr. Cyclops—Dekker-Logan-Coley Apr. 12
 3931 (3935) The Light of the Western Stars—
 Jory-Sayers (65 min.) (reset) Apr. 19
 3930 French Without Tears—Milland-Drew (re.) Apr. 26
 3932 Buck Benny Rides Again—Benny-Rochester May 3
 3933 Opened By Mistake—Ruggles-Logan (66m.) May 10
 3934 Typhoon—Labour-Preston-Overman May 17
 3935 (3931) The Biscuit Eater—Billy Lee (re.) May 24
 3936 Those Were the Days—Holden-Granville May 31
 3958 Hidden Gold—William Boyd June 7
 3937 Safari—Carroll-Fairbanks, Jr. June 14
 3938 The Way of All Flesh—Taimiroff (reset) June 21
 3939 Queen of the Mob—Bellamy-Yurka June 28

Republic Features

(1776 Broadway, New York, N. Y.)

920 Forgotten Girls—Platt-Woods-Gibson Mar. 15
 942 Rancho Grande—Autry (68 min.) Mar. 22
 991 Ghost Valley Raiders—Barry (68 min.) Mar. 26
 129 Hi-Yo Silver—Lee Powell-Brix (69 min.) Apr. 10
 954 Young Buffalo Bill—Roy Rogers (59 min.) Apr. 12
 901 Dark Command—Trevor-Wayne-Pidgeon Apr. 15
 921 In Old Missouri—Weaver Bros.-Elviry Apr. 17
 922 Grandpa Goes to Town—Gleason-Davenport Apr. 19
 965 Covered Wagon Days—Three Mesq. (57m.) Apr. 22
 923 The Crooked Road—Lowe-Wilcoxson May 10
 943 Gaucho Serenade—Gene Autry (69 min.) May 10

RKO Features

(1270 Sixth Ave., New York, N. Y.)

083 Bullet Code—George O'Brien Apr. 5
 009 Abe Lincoln in Illinois—R. Massey Apr. 19
 027 Curtain Call—Read-Archer-Vinson Apr. 26
 024 Irene—Neagle-Milland-Roland-Robson May 3
 031 Beyond Tomorrow—Winninger-Parker May 10
 025 My Favorite Wife—Dunne-Grant-Scott May 17
 032 You Can't Fool Your Wife—Ball-Ellison May 24
 028 Bill of Divorcement—O'Hara-Menjou May 31
 033 The Saint Takes Over—Sanders-Barrie June 7

Twentieth Century-Fox Features

(444 W. 56th St., New York, N. Y.)

033 They Came By Night—Fyffe-Hulme Feb. 23
 035 Charlie Chan in Panama—Toler-Rogers Mar. 1
 No release set for Mar. 8
 040 The Grapes of Wrath—Fonda-Darwell Mar. 15
 025 The Blue Bird—Temple-Byington-Jason Mar. 22
 037 Free, Blonde and 21—Bari-Davis-Wilcoxon Mar. 29
 036 Star Dust—Darnell-Payne-Young Apr. 5
 039 Viva Cisco Kid—Romero-Rogers Apr. 12
 042 Johnny Apollo—Power-Lamour-Arnold Apr. 19
 041 Shooting High—Withers-Autry Apr. 26
 043 So This Is London—Sanders-Churchill May 3
 038 I Was an Adventuress—Zorina-Greene May 10
 044 The Jones Family in On Their Own—
 Byington May 17
 045 Lillian Russell—Faye-Ameche-Fonda May 24
 046 Marriage in Transit—not set May 31
 034 Earthbound—Baxter-Leeds-Bari June 7
 047 Four Sons—Ameche-Hughes-Curtis June 14
 048 Charlie Chan's Murder Cruise—Toler June 21
 049 Lucky Cisco Kid—Romero-Hughes June 28

United Artists Features

(729 Seventh Ave., New York, N. Y.)

Turnabout—John Hubbard-Carole Landis May 17
 Our Town—Frank Craven-Martha Scott May 24

Universal Features

(1250 Sixth Ave., New York, N. Y.)

4021 Oh, Johnny, How You Can Love—
 Brown-Moran Jan. 5
 4009 The Invisible Man Returns—Hardwicke Jan. 12
 4061 West of Carson City—Brown (55 min.) Jan. 19
 4041 Green Hell—Fairbanks, Jr.-J. Bennett Jan. 26
 4055 Danger on Wheels—Arlen-Devine Feb. 2
 4004 My Little Chickadee—Fields-West Feb. 9
 4038 Honeymoon Deferred—Lowe-Lindsay Feb. 16
 4032 Framed—Cowan-Moore-Albertson Feb. 23
 4034 Double Alibi—Morris-Lindsay Mar. 1
 4025 Zanzibar—Craig-Lane Mar. 8
 4022 Ma! He's Making Eyes at Me!—
 Brown-Moore Mar. 15
 4001 It's a Date—Durbin-Francis-Pidgeon Mar. 22
 4040 Half a Sinner—Angel-King Apr. 5
 4062 Riders of Pasco Basin—Brown (56 min.) Apr. 5
 4018 Black Friday—Karloff-Ridges-Nagel Apr. 12
 4013 House of Seven Gables—Lindsay-Sanders Apr. 12
 4033 Enemy Agent—Cromwell-Vinson Apr. 19
 4035 If I Had My Way—Crosby-Jean (reset) May 3
 Ski Patrol—Desti-Dorn (64 min.) (reset) May 10
 4015 Alias the Deacon—Burns-Auer May 17
 4056 Hot Steel—Arlen-Devine May 24
 La Conga Nights—Herbert-Moore-O'Keefe May 31
 4063 Bad Man From Red Butte—Brown-Baker May 31
 No Exit—Ford-Adams June 7
 Sandy Is a Lady—Baby Sandy-Auer-Grey June 14
 I Can't Give You Anything But Love—
 Crawford-Moran June 21

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

415 A Child Is Born—Fitzgerald-Lynn-George Jan. 6
 406 Brother Rat and a Baby—Lane-Bryan-Morris Jan. 13
 416 British Intelligence—Karloff-Lindsay Jan. 20
 420 Calling Philo Vance—Stephenson-O'Neill Feb. 3
 421 Granny Get Your Gun—Robson-Davenport Feb. 10
 404 Virginia City—Flynn-Hopkins-Scott Mar. 23
 407 It All Came True—Sheridan-Lynn-Bogart Apr. 6
 422 King of the Lumberjacks—Payne-Dickson Apr. 13
 423 Tear Gas Squad—Morgan-Dickson-Payne May 4
 410 Saturday's Children—Garfield-Shirley May 11
 Brother Orchid—Robinson-Sothern-Bogart June 8
 Gambling on the High Seas—Morris (reset) June 22

SHORT SUBJECT RELEASE SCHEDULE

Columbia—One Reel

1803	Skiing Technique—World of Sport (9m.)	Jan. 19
1703	The Mouse Exterminator—Phantasy (6½m.)	Jan. 26
1972	Threads of a Nation—Cinescope (11m.)	Feb. 9
1555	New Hampshire—Tours (11m.)	Feb. 9
1507	The Happy Tot's Expedition—Color Rhapsody (6½ min.)	Feb. 9
1903	Inside the Federal Bureau of Investigation—Washington Parade (10½ min.)	Feb. 9
1804	Flying Targets—World of Sport (10m.)	Feb. 22
1855	Screen Snapshots No. 5—(10m.)	Feb. 23
1704	The Man of Tin—Phantasy (6m.)	Feb. 23
1556	Unveiling Algeria—Tours (9½m.)	Mar. 1
1805	Roughhouse Fiesta—World of Sport (10m.)	Mar. 8
1973	Fashion Takes a Holiday—Cinescope (11m.)	Mar. 8
1508	Blackboard Revue—Col. Rhapsody (7m.)	Mar. 15
1974	The Birth of a Queen—Cinescope (11m.)	Mar. 17
1856	Screen Snapshots No. 6—(10m.)	Mar. 29
1753	Practice Makes Perfect—Fables (6m.)	Apr. 5
1509	Greyhound and the Rabbit—Col. Rhapsody	Apr. 19
1806	Tomorrow's Stars (Catch of the Season)—World of Sport (10 min.)	Apr. 19
1904	Social Security—Washington Parade	Apr. 26
1857	Screen Snapshots No. 7	May 3
1557	Pleasurebound in Canada—Tours	May 3
1656	Community Sing No. 6—(reset)	May 10
1705	Fish Follies (News Oddities)—Phantom (6m.)	May 10
1807	Sport of Kings—World of Sport	May 24
1510	Egg Hunt—Color Rhapsody	May 31
1858	Screen Snapshots No. 8	June 7
1754	Barnyard Babies—Fables (7½m.)	June 14
1511	Ye Old Swap Shop—Color Rhapsody	June 28

Columbia—Two Reels

1151	Chinatown Night—Shadow #11 (18m.)	Mar. 15
1152	Murder by Remote Control—Shadow #12 (18 min.)	Mar. 22
1431	Pardon My Birthmarks—Keaton (18m.)	Mar. 22
1153	Wheels of Death—Shadow #13 (18m.)	Mar. 29
1154	The Sealed Room—Shadow #14 (16m.)	Apr. 5
1432	Money Squawks—Clyde (17m.)	Apr. 5
1155	The Shadow's Net Closes—Shadow #15 (17 min.)	Apr. 12
1161	Into the Great Unknown—Terry and the Pirates (30 min.)	Apr. 12
1406	A Plumbing We Will Go—Stooges (17½m.)	Apr. 19
1162	The Fang Strikes—Terry #2 (21½m.)	Apr. 19
1163	The Mountain of Death—Terry #3 (18m.)	Apr. 26
1433	You're Next (Taming the Snood)—All Star comedy	May 3
1164	The Dragon Queen Threatens—Terry #4 (17 min.)	May 3
1165	At the Mercy of a Mob—Terry #5 (17½m.)	May 10
1434	South of the Boudoir—Chase (18m.)	May 17
1166	The Scroll of Wealth—Terry #6	May 17
1167	Angry Waters—Terry #7	May 24
1168	The Tomb of Peril—Terry #8	May 31
1435	Boobs in the Woods—Clyde (16m.)	May 31

Metro-Goldwyn-Mayer—One Reel

C-135	The Big Premiere—Our Gang (10m.)	Mar. 9
T-59	Calling on Colombia—Traveltalks (8m.)	Mar. 16
K-122	XXX Medico—Passing Parade (10m.)	Mar. 23
W-85	Home on the Range—Cartoons (8m.)	Mar. 23
S-107	The Domineering Male—P. Smith (10m.)	Mar. 30
C-136	All About Hash—Our Gang (10½m.)	Mar. 30
T-60	Sitka and Juneau—Traveltalks (9m.)	Apr. 13
K-123	The Hidden Master—Passing Par. (11m.)	Apr. 20
W-86	A Rainy Day—Cartoons (7m.)	Apr. 20
C-137	The New Pupil—Our Gang (11m.)	Apr. 27
S-108	Spots Before Your Eyes—Pete Smith	May 4
T-61	Modern New Orleans—Traveltalk (8m.)	May 11
M-79	Servant of Mankind—Miniatures	May 11
T-62	Suva, Pride of Fiji—Traveltalks	June 8

Metro-Goldwyn-Mayer—Two Reels

P-3	Jack Pot—Crime Doesn't Pay (19m.)	Mar. 9
X-151	The Flag Speaks—Special (19m.)	June 14

Paramount—One Reel

B9-1	Way Back When a Triangle Had Its Points—Stone Age (7½ min.) (reset)	Feb. 9
K9-5	Isle of Columbus—Color Cruise (9m.)	Feb. 16
V9-6	Paramount Pictorial—(10½m.)	Feb. 16
J9-4	Popular Science #4—(10m.)	Feb. 16
R9-8	Human Fish—Sportlight (9½m.)	Feb. 23
	No release for.	Mar. 1
E9-3	Females Is Fickle—Popeye (6m.)	Mar. 8
B-92	Way Back When a Nag Was Only a Horse (Way Back When a Night Club Was a Stick)—Stone Age (6½ min.) (reset)	Mar. 8
A9-7	George Olsen and His Music—Headliner (10½ min.) (reset)	Mar. 15
V9-7	Not So Dumb—Paragraphic (9½m.)	Mar. 15
C9-3	Ants in the Plants—Color Classic (7m.)	Mar. 15
R9-9	Two of a Kind—Sportlight (9m.)	Mar. 22
E9-4	Stealin' Ain't Honest—Popeye (6m.) (re.)	Mar. 22
L9-4	Unusual Occupations #4—(10 min.) (re.)	Mar. 29
K9-6	Argentina—Color Cruise (9m.)	Apr. 5
E9-5	Me Feelins Is Hurt—Popeye (6m.)	Apr. 12
R9-10	The Blue Streak—Sportlight (9m.)	Apr. 19
A9-8	Have You Met Yvette—Headliner (10½m.)	Apr. 26
B9-3	Granite Hotel (Way Back When a Nag Was Only a Horse)—Stone Age (6m.) (re.)	Apr. 26
J9-5	Popular Science #5—(10m.)	May 3
B9-4	Way Back When a Night Club Was a Stick—Stone Age (6 min.)	May 10
V9-8	Television Preview—Paragraphic (9½m.)	May 17
C9-4	A Kick in Time—Color Classic cartoon	May 17
R9-11	Playmates from the Wild—Sport. (9½m.)	May 17
A9-9	Blue Barron and His Orchestra—Head.	May 24
E9-6	Onion Pacific—Popeye	May 24
B9-5	The Foul Ball Player—Stone Age	May 24
L9-5	Unusual Occupations #5	May 31

RKO—One Reel

04208	Information Please—(10m.)	Mar. 22
04608	Siege—Reelisms (10m.)	Mar. 29
04103	Donald's Dog Laundry—Disney (8m.)	Apr. 5
04309	Court Favorites—Sportscores (9m.)	Apr. 12
04209	Information Please—(11m.)	Apr. 19
04104	Tugboat Mickey—Disney (7m.)	Apr. 26
04609	Air Army—Reelisms (9m.)	Apr. 26
04310	Silent Wings—Sportscores (9m.)	May 10
04105	Billposters—Disney (8m.)	May 17
04210	Information Please	May 17
04106	Mr. Duck Steps Out—Disney (8m.)	June 7
04211	Information Please	June 14
04107	Bone Trouble—Disney	June 28

RKO—Two Reels

03503	Molly Cures a Cowboy—Whitley (19m.)	Mar. 22
03109	March of Time No. 9—(19m.)	Apr. 12
03204	Twincuplets—Radio Flash (20m.)	Apr. 12
03404	Mutiny in the County—Kennedy (17m.)	May 3
03110	March of Time No. 10	May 10
03405	'Taint Legal—Kennedy (16m.)	May 24
03504	Corraling a School Marm—Whit. (20m.)	June 14
03205	Goodness: A Ghost—Langdon (16m.)	July 5

Twentieth Century-Fox—One Reel

0603	Fashion Forecast No. 7—(9m.)	Mar. 29
0511	It Must Be Love—Terry-Toon (7m.)	Apr. 5
0403	Lavor Savers—Lew Lehr (9m.)	Apr. 12
0558	Just a Little Bull—Terry-Toon (7m.)	Apr. 19
0305	Over the Seven Seas—Sports (10m.)	Apr. 26
0512	Wot's All Th' Shootin' Fer—Terry (7m.)	May 3
0107	Climbing the Spirit's Home—Father Hubbard with Lowell Thomas (10 min.)	May 10
0513	Swiss Ski Yodelers—Terry-Toon	May 17
0108	Isles of the East—Lowell Thomas	May 24
0559	Catnip Capers—Terry-Toon	May 31
0204	Not Yet Titled—Adv. News Cameraman	June 7
0514	Professor Offkeyski—Terry-Toon	June 14
0604	Fashion Forecast No. 8	June 21
0515	Rover's Rescue—Terry-Toon	June 28

Universal—One Reel

4377 Stranger Than Fiction #72—(8½m.) Jan. 29
4357 Going Places with Thomas #72—(9m.) Feb. 5
4266 Kittens Mittens—Lantz cart. (8m.) Feb. 12
4378 Stranger Than Fiction #73—(9m.) Feb. 19
4358 Going Places with Thomas #73—(8m.) Feb. 26
4267 Adventures of Tom Thumb, Jr. (Tom
 Thumb, Jr.)—Lantz cart. (9 min.) Mar. 4
4379 Stranger Than Fiction #74—(8½m.) Mar. 11
4359 Going Places with Thomas #74—(9m.) Mar. 18
4380 Stranger Than Fiction #75—(9m.) Apr. 15
4268 100 Pigmies and Andy Panda—cart. (7m.) Apr. 22
4360 Going Places with Thomas #75—(9m.) Apr. 29
4381 Stranger Than Fiction #76—(9m.) May 6
4361 Going Places with Thomas #76—(9m.) May 13
4382 Stranger Than Fiction #77—(9m.) May 20
4362 Going Places with Thomas #77—(9m.) May 27
4383 Stranger Than Fiction #78 June 10

Universal—Two Reels

4785 The Time Bomb—Hornet No. 5 (20m.) Feb. 6
4786 Highways of Peril—Hornet No. 6 (21m.) Feb. 13
4226 Bullets and Ballads—musical (17½m.) Feb. 14
4787 Bridge of Disaster—Hornet No. 7 (21m.) Feb. 20
4788 Dead or Alive—Hornet No. 8 (19m.) Feb. 27
4789 The Hornet Trapped—Hornet No. 9 (19m.) Mar. 5
4790 Bullets and Ballots—Hornet No. 10 (18m.) Mar. 12
4227 International Revels—musical (17m.) Mar. 13
4791 Disaster Rides the Rails—Hornet No. 11
 (19 min.) Mar. 19
4792 Panic in the Zoo—Hornet No. 12 (20m.) Mar. 26
4793 Doom of the Underworld—Hornet No. 13
 (20 min.) Apr. 2
4881 The Purple Death—Flash Gordon Conquers
 the Universe #1 (20 min.) Apr. 9
4882 Freezing Torture—Gordon #2 (21m.) Apr. 16
4228 Follies Parisienne—musical (18m.) Apr. 17
4883 Walking Bombs—Gordon #3 (21m.) Apr. 23
4884 The Destroying Ray—Gordon #4 (17m.) Apr. 30
4885 The Palace of Horror—Gordon #5 (19m.) May 7
4886 Flaming Death—Gordon #6 (20m.) May 14
4229 Swingin' In the Barn—musical May 15
4887 The Land of the Dead—Gordon #7 (19m.) May 21
4888 The Fiery Abyss—Gordon #8 (17m.) May 28
4889 The Pool of Peril—Gordon #9 (17½m.) June 4
4890 The Death Mist—Gordon #10 (19m.) June 11

Vitaphone—One Reel

5609 Ali Baba Bound—Looney Tunes (7m.) Feb. 10
5405 Mechanix Illustrated #3—(9½m.) Feb. 17
5505 The Coquettes—Mer. Master (9m.) Feb. 17
5313 Elmer's Candid Camera—Mer. Mel. (7½m.) Mar. 2
5506 Dave Apollon and Orch.—Mer. Mast. (11m.) Mar. 2
5610 Pilgrim Porky—Looney Tunes (7m.) Mar. 16
5314 Cross-Country Detours—Mer. Mel. (9½m.) Mar. 16
5406 Men Wanted—Color Parade (9m.) Mar. 23
5507 Carl Hoff and Orch. Mer. Mast. (10m.) Mar. 23
5315 Confederate Honey—Mer. Mel. (8m.) Mar. 30
5611 Slap Happy Pappy—L. Tunes (7m.) (re.) Apr. 13
5704 No Parking—Varieties (10m.) Apr. 13
5316 The Bears' Tale—Mer. Mel. (9m.) Apr. 13
5612 You Ought to Be in Pictures—Looney Tunes
 (9½ min.) Apr. 18
5613 Porky's Poor Fish—Looney Tunes (6½m.) Apr. 27
5317 Hardship of Miles Standish—
 Merrie Melodies (8½ min.) Apr. 27
5318 Sniffles Takes a Trip—Mer. Mel. (8m.) May 11
5407 Gun Dog's Life—Color Parade (9m.) May 11
5705 Radio and Relatives—Varieties (10m.) May 18
5319 Gander at Mother Goose—Mer. Mel. (6m.) May 25
5008 Larry Clinton & Orch.—Mer. Mast. (10m.) May 25

Vitaphone—Two Reels

5105 One for the Book—Bway. Brev. (18m.) Feb. 3
5004 Teddy the Roughrider—Tech. (19m.) Feb. 24
5106 Alex in Wonderland—Brevities (13m.) Mar. 9
5005 The Singin' Dude—Technicolor (20m.) Apr. 6
5107 Double or Nothing—Bway. Brcv. (18m.) Apr. 20
5006 Cinderella's Feller—Technicolor May 4

NEWSWEEKLY NEW YORK RELEASE DATES

Universal

871 Wednesday May 1
872 Friday May 3
873 Wednesday May 8
874 Friday May 10
875 Wednesday May 15
876 Friday May 17
877 Wednesday May 22
878 Friday May 24
879 Wednesday May 29
880 Friday May 31
881 Wednesday June 5
882 Friday June 7
883 Wednesday June 12
884 Friday June 14
885 Wednesday June 19
886 Friday June 21
887 Wednesday June 26
888 Friday June 28

Fox Movietone

67 Wednesday May 1
68 Saturday May 4
69 Wednesday May 8
70 Saturday May 11
71 Wednesday May 15
72 Saturday May 18
73 Wednesday May 22
74 Saturday May 25
75 Wednesday May 29
76 Saturday June 1
77 Wednesday June 5
78 Saturday June 8
79 Wednesday June 12
80 Saturday June 15
81 Wednesday June 19
82 Saturday June 22
83 Wednesday June 26
84 Saturday June 29

Metrotone News

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256 Thursday Mar. 28
257 Tuesday Apr. 2
258 Thursday Apr. 4
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261 Tuesday Apr. 16
262 Thursday Apr. 18
263 Tuesday Apr. 23
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269 Tuesday May 14
270 Thursday May 16
271 Tuesday May 21
272 Thursday May 23
273 Tuesday May 28
274 Thursday May 30
275 Tuesday June 4
276 Thursday June 6
277 Tuesday June 11
278 Thursday June 13
279 Tuesday June 18
280 Thursday June 20
281 Tuesday June 25
282 Thursday June 27

Pathé News

05171 Sat. (O.) Mar. 23
05272 Wed. (E.) Mar. 27
05173 Sat. (O.) Mar. 30
05274 Wed. (E.) Apr. 3
05175 Sat. (O.) Apr. 6
05276 Wed. (E.) Apr. 10
05177 Sat. (O.) Apr. 13
05278 Wed. (E.) Apr. 17
05179 Sat. (O.) Apr. 20
05280 Wed. (E.) Apr. 24
05181 Sat. (O.) Apr. 27
05282 Wed. (E.) May 1
05183 Sat. (O.) May 4
05284 Wed. (E.) May 8
05185 Sat. (O.) May 11
05286 Wed. (E.) May 15
05187 Sat. (O.) May 18
05288 Wed. (E.) May 22
05189 Sat. (O.) May 25
05290 Wed. (E.) May 29
05191 Sat. (O.) June 1
05292 Wed. (E.) June 5
05193 Sat. (O.) June 8
05294 Wed. (E.) June 12
05195 Sat. (O.) June 15
05296 Wed. (E.) June 19
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05298 Wed. (E.) June 26
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No. 21

FACTS ABOUT THE NEELY BILL THE HOUSE COMMITTEE SHOULD CONSIDER

As you will learn from the review of "Waterloo Bridge," published in this issue, Metro-Goldwyn-Mayer has departed from the story of the Universal picture, which was produced in 1931, and which was likewise founded on the Robert E. Sherwood stage play.

As stated in the review, the Universal picture was a story of a heroine's regeneration through love, whereas the present picture is a story of a heroine's degradation because of love. In the former, the heroine is a prostitute when the hero meets her, and you rejoice watching her regeneration; in the latter, the heroine is a good girl when the hero meets her, and you grieve watching her degradation.

In the Universal version, the heroine, a chorus girl, having lost her job, and having been unable to obtain another, becomes a prostitute in order that she might subsist. Then she meets the hero and soon the two fall desperately in love with each other. But the heroine, realizing that she was unworthy of him, tries to discourage him from marrying her. Then the hero, still not knowing the reasons of her refusal to marry him, tricks her into a meeting with his parents at their country estate.

In the MGM version, the heroine, a ballet dancer and an honorable young girl, meets the hero and the two fall in love with each other. He proposes marriage and she accepts. But before the marriage ceremony is performed, his regiment is ordered to the front. Soon afterwards, she reads in the paper that he had been killed in a battle. She and her girl-chum try to find jobs, and when they are not successful her friend secretly becomes a prostitute to provide a living for them both. For a while the friend is able to fool the heroine by making her believe that she was doing honest work, but the heroine soon comes upon the facts. Despondent, she, too, becomes a prostitute. A few months later she is at a railway station for the purpose of picking up some one of the men returning from France, and is met by the hero. It is a day of indescribable joy for the hero, but one of sadness for the heroine. The hero eventually induces her to accompany him to the country to meet his parents. At first she is reluctant to consent, but she, seeing a chance to be happy, accepts the proposal and follows him to his country estate.

In the Universal version, the heroine, having been moved by the kindness shown to her by the hero's folk and servants, reveals to the hero's mother the reason why she could not marry her son. Thus she had made a great sacrifice. The situation where she, standing behind the door of the hero's mother's room, said that she could marry her son if she wanted to but that she would not, was so powerful that it tore at one's heartstrings. The heroine confesses to the hero's mother of her past in the MGM version, but for some reason

of repentance and not one of self-sacrifice—she had gone there with the intention of marrying him, thus betraying a selfish nature, in contrast to the heroine in the Universal version, who had never wavered in her determination not to marry him, considering herself, as said, unworthy of him. Her confession moves one, but not with anything near the power one was moved by the same situation in the Universal version—one could hardly restrain his tears in that version.

There is, as said in the review, a blemish also in the alteration of the ending. In the Universal version the heroine is killed by a bomb dropped by a Zeppelin during a raid against London, whereas in the MGM version she takes her own life, thus offending millions of Catholic picture-goers, whose religion teaches that suicide is a mortal sin.

HARRISON'S REPORTS does not take the position that the picture is unworthy of showing; it is a drama, and dramas often have to deal with the seamy side of life. But it does say this: if a producer wishes to alter a story of a heroine's regeneration through love, making it the story of a heroine's degradation because of love, that is his business; what this editorial is concerned about is the rights of the exhibitor: don't you think that the exhibitor should be given the right to determine whether he should or should not show a picture of this kind, and if he should determine that he should show it at least to choose the days on which he may show it?

MGM may insist that this picture shall be played on preferred play-dates, which are either Friday, Saturday and Sunday, or Saturday and Sunday, and many exhibitors cannot show a picture of this kind on any of those days, for they cater to family trade. There are also many exhibitors who cater to Catholics, who avoid pictures with suicides.

"Waterloo Bridge" will perhaps gross as much money on week days as it would on Friday, Saturday and Sunday; Robert Taylor and Vivien Leigh fans will go to see it, no matter on what days of the weeks it is shown. But can the producer be made to believe that? It is doubtful, and the picture will be shown on the last days of the week, much to the exhibitors' embarrassment, not to say to the detriment of their steady trade.

This question is submitted to the House Committee on Interstate and Foreign commerce, which is now holding a hearing on the Neely Bill. Its members should make it a point to see the picture so as to determine for themselves whether these observations are or are not justified, enabling them to decide whether the exhibitors do or do not deserve a release from the intolerable system that has made them its victims—block-booking and blind-selling. They owe it to their families, particularly to their young children, to free the exhibitors from the whims of some of Hollywood's one-

"Edison the Man" with Spencer Tracy and Rita Johnson

(MGM, May 10; time, 106 min.)

As in "Young Tom Edison," this offers good entertainment for both young and old, in spite of the fact that the action is not particularly fast-moving. In a way it is even better than the first picture, for the older Edison is more interesting, and the work he accomplishes is far more exciting. His devotion to his work, to his friends, and to the ideal of benefiting mankind should inspire all those who see the picture. All this is presented, not by preaching, but by action. For instance, the situation that shows Edison throwing on the switch that would turn on the electric lights for the first time in one portion of New York City is something that will excite spectators. There is plentiful human interest, a charming romance that remains appealing even after marriage, and good comedy:—

Edison (Spencer Tracy) arrives in New York with high hopes for the future. He accepts employment as assistant to the janitor of a building owned by Mr. Taggart (Gene Lockhart), head of a large stock brokerage company. Edison makes several attempts to see Taggart, but in vain, that is, until he saves Taggart's business one day by a quick repair job on a stock ticker machine that he used. Taggart finally gives Edison an audience; in his office at that time was General Powell (Charles Coburn), head of Western Union. Powell helps Edison carry on experiments in his workshop. There Edison meets Mary Stilwell (Rita Johnson), who worked in the office, and falls in love with her. Aided by capable workmen, Edison finally perfects a ticker machine that could bring in quotations on all stocks. For this Powell and Taggart pay him \$40,000. Edison marries Mary and sets up a laboratory at Menlo Park, taking with him many of his coworkers. They do the mechanical work on Edison's inventions. But Edison spent more than he earned and was about to lose his shop when he decides to invent a method of creating light by electricity. After back-breaking work, disappointments, and heartaches, he finally invents the incandescent light. He soon applies to the city council for a franchise to light the city. But Taggart, who owned the most of the stock in the gas company, does not want to see Edison succeed. Despite Taggart's machinations, however, the city council gives Edison six months time in which to build a dynamo and prepare one section of the city for electric lighting. They work furiously and come out victorious. Edison is hailed as a genius. With his profits, he works on his other inventions.

Dore Schary and Hugo Butler wrote the story, and Talbot Jennings and Bradbury Foote, the screen play; Clarence Brown directed it, and John W. Considine, Jr., produced it. In the cast are Lynne Overman, Henry Travers, Felix Bressart, and others. Class A.

"Those Were the Days" with William Holden and Bonita Granville

(Paramount, May 31; time, 74 min.)

A pretty good program college picture, based on the "Siwash" stories by George Fitch. The younger generation should find it to their liking, for it sets forth, in a humorous vein, the trouble that befalls a young college student who had two faults, conceit and mischievousness, of which he is eventually cured. Except for the fact that the background and costumes are of the old-fashioned days, the story is developed in a rather routine way. The romance is pleasant. The story is told in flashback:—

William Holden, a conceited young student at Siwash College, makes himself obnoxious to most students by his arrogance and flippancy. He incurs the anger of Bonita Granville, a student he was delegated to escort to a dance, by paying no attention to her all evening. Called down by his roommate and only friend (Ezra Stone), who berates him for showing no interest in his studies and for making no effort to help any one, Holden decides to change his ways. Knowing that Stone was not ready for his examination the next day, and that, if the professor were late for class, the examination would be called off, Holden tries to fix all the clocks so that the professor would be late. One thing leads to another and he ends up by smashing a street car into a store window. Arrested, he appears before a stern judge, and is given one week's time to prepare his case. Having heard that the Judge was Miss Granville's father, he starts paying attention to Miss Granville, and rushes her for a week; but the unforeseen happens—they fall in love with each other. Miss Granville's father is enraged; he convinces his daughter that Holden had played her for a fool, his intention being that she would speak to the judge on his behalf. The judge gives Holden a six months' sentence, but suspends it on condition that Holden never speak to Miss Granville. Holden disobeys the order

and is put in jail. Miss Granville knows that Holden really loved her; she purposely throws stones in a store window so as to be put in jail along with Holden. By this time, the students, irked by the Judge's harsh treatment of the lovers, stage a riot and free Holden and Miss Granville. Eventually the two marry happily, much to the joy of the judge, who had become fond of Holden.

Don Hartman wrote the screen play, and Ted Reed directed and produced it. In the cast are Judith Barrett, John Arledge and others. Suitability, Class A.

"You Can't Fool Your Wife" with Lucille Ball and James Ellison

(RKO, May 24; time, 68 min.)

Just a moderately entertaining program comedy. Some of the dialogue and a few situations are suggestive; they are supposed to be comical but are not, for they were handled rather clumsily. They are based on the mistaken identity theme: The hero, while at a party where the guests were wearing masks, approaches a young woman and, believing her to be his wife, acts in a familiar manner. But the most suggestive scenes are those that take place later at his apartment; this time the hero knows that the woman with him was his wife, but the audience is not aware of this and so what is said and done strikes one as being pretty "raw." Although one feels some sympathy for both hero and heroine, the characters they portray are not particularly exciting:—

After five years of marriage, Lucille Ball and James Ellison take each other for granted. Their marriage is not an exciting one, first, because Ellison, an accountant, had not progressed, and secondly because Miss Ball's mother (Emma Dunn), who lived with them, interfered in everything. Following the orders of the president of his firm, Ellison goes to the dock to meet the foreign partner of the firm. But it is, not an expected elderly man, who arrives, but his son (Robert Coote), a playboy. He leads Ellison on a merry chase, in which they are joined by young ladies. Ellison drinks too much and arrives home intoxicated. His wife sympathizes with him but his mother-in-law predicts his downfall. Coote keeps Ellison so busy that he has little time to spend at home. Disgusted, Miss Ball parts from Ellison. He goes to live with Coote, but is unhappy, for he loved his wife. Coote, who wanted to help the young couple, goes to see Miss Ball and enters into a plan with her to effect a reconciliation. The plan results in a mixup that almost breaks up the marriage for good. But reconciliation is soon effected. Ellison orders his mother-in-law to leave and, with a greater salary, looks forward to a happy life.

Richard Carroll and Ray McCarey wrote the story, and Jerry Cady, the screen play; Ray McCarey directed it, and Cliff Reid produced it.

Not for children. Suitable for adolescents and adults. Class B.

"La Conga Nights" with Hugh Herbert, Dennis O'Keefe and Constance Moore

(Universal, May 31; time, 59 min.)

If your audiences want a change from the gangster and other types of melodramas that have been shown lately, they should find this a diverting hour's entertainment. The story is neither serious nor sensible, but it is gay, and offers a few musical numbers, considerable comedy, and a pleasant romance. The comedy is handled by Hugh Herbert, who plays six parts, each one sillier than the other. He flits through the picture, provoking laughter.

The story revolves around a group of persons living at the same boarding house. Because no one earned enough money to pay rent, the landlady could not meet her mortgage payments. The foreclosure notice pasted on the door saddens every one. Herbert, head of the company that held the mortgage, decides to visit the house. Upon entering, he hears a band playing and, because he loved jazz music, decides to become a boarder, offering rent in advance. No one knew who he really was. Dennis O'Keefe and Constance Moore, two boarders, practice a dance routine for a tryout at a cafe. But they flop at the tryout because Herbert had thrown something on the floor and they had slipped. O'Keefe gets a good idea—why not open a night club right in their boarding house? All the neighbors help out by giving whatever was needed. On the opening night, Herbert's company manager tries to stop the show so as to take the furniture away. But Herbert hits him over the head, orders the moving men to vacate, and starts the show. The club is a hit. Herbert gives the building to O'Keefe.

Jay Dratler, Harry Clark, and Paul G. Smith wrote the screen play, Lew Landers directed it, and Ken Goldsmith produced it. In the cast are Joe Brown, Jr., Fereke Boros, Eddie Quillan, and others. Suitability, Class A.

**"Turnabout" with John Hubbard,
Adolphe Menjou, Carole Landis
and William Gargan**

(United Artists-Roach, May 17; 83 min.)

The first third of this fantastic picture is quite amusing, not on account of any striking situations or brilliant dialogue, but on account of skilful handling by Mr. Roach, an expert at comedy work. Immediately after the transposition of the hero's and heroine's natures, however, the picture goes sour. The reason for it is the fact that the sight of a man acting like a woman, or that of a woman talking and comporting herself like a man, is not pleasant to the members of either sex. Some of the comedy is provoked by slapstick situations, occurring in a lavish background: a bear cub, upsetting everything in the household, and frightening everybody, is introduced.

The story deals with a quarreling married couple. During one of the tiffs, the hero expresses a wish that he were in the heroine's place, and the heroine retorts that she, too, wished that she were in his place. The Egyptian idol god overhears them and, suddenly coming to life, informs them that he was going to answer their wishes by doing that little favor for them. Thereupon he transplants the wife's nature into the man, and the man's nature into the wife. The friends of the heroine are amazed at hearing their friend talk in a manly voice and comport herself like a man, and the office force is shocked at seeing the hero talk like a woman and act like one. After each had had his "fill" at being the other, they go back to the idol god and plead with him to restore them to their former states. He obliges them. After the restoration, the hero is still informed that he was to give birth to a child.

The plot has been founded on the Thorne Smith novel. The screen play is by Mickell Novak, Berne Giler and John McClain, with additional dialogue by Rian James.

Class B for children and adolescents, Class A for adults. If shown to capacity houses, the picture should provoke considerable laughter; but there is no doubt in this critic's mind that most people will feel that the story was in bad taste.

**"Lillian Russell" with Alice Faye,
Don Ameche, Henry Fonda
and Edward Arnold**

(20th Century-Fox, May 24; time, 2 hrs. and 5 min.)

For all its lavishness of production and array of star names, this drama with music is only fair entertainment. Considering the advance publicity the picture has had and the drawing power of the stars, it will probably draw well at the box-office, but the action is slow-moving, the story lacks dramatic power, and the events in the life of the famous actress, as depicted here, are not particularly exciting. The picture is at its best when it goes into musical numbers. Some of the tunes are old and should be enjoyed by those who remember them. A few new numbers have been added. One of the most amusing scenes is that in which appear the old team of Weber & Fields:—

Helen Leonard (Alice Faye), daughter of a suffragette mother and of a newspaper-writer father, has a charming singing voice and is determined to go on the stage. While riding home with her grandmother from a music lesson, Helen's horses are frightened and run wild. They are stopped by a young man, Alexander Moore (Henry Fonda); he and Helen become friends and confide their ambitions in each other. Helen attracts the attention of Tony Pastor (Leo Carrillo), owner of a famous theatre. He decides to give her a chance but, not liking her name, changes it to Lillian Russell. She is an immediate success and becomes a famous star. Men like Diamond Jim Brady (Edward Arnold) and Jesse Lewisohn (Warren William) shower expensive gifts on her, each one hoping that she would accept his proposal of marriage. But she marries Edward Solomon (Don Ameche), a young composer, and with him goes to England. His hot-tempered outbursts against producers and her approaching motherhood bring a sudden end to Miss Russell's career. After the birth of her baby they continue living in England. Solomon dies from a sudden heart attack. Miss Russell goes back to the stage and again becomes popular. She returns to America to new triumphs, and again she is pursued by Brady. Eventually she marries Moore, by this time a successful newspaper owner.

William Anthony McGuire wrote the screen play, Irving Cummings directed it, and Gene Markey produced it. In the cast are Helen Westley, Dorothy Peterson, Ernest Truex, Nigel Bruce, Claude Allister, Lynn Bari, and others.

Suitability, Class A.

**"Waterloo Bridge" with Vivien Leigh
and Robert Taylor**

(MGM, May 17; running time, 108 min.)

That this picture will prove popular at the box office no exhibitor need have any doubt—with two popular stars in the leads, and with some of the situations stirring one's emotions deeply, no different results could be expected; what may be doubted is the wisdom of having the heroine degrade herself for dramatic purposes: she becomes a prostitute in order that she might make a living. When this Sherwood play was first produced (in 1931) by Universal, it was a drama of a heroine's regeneration—she had given up her life of shame because of love. This picture would have been infinitely more moving had the producers adhered to the original plot development; the Universal version was much more moving than the present version, for in that version the heroine had made a great sacrifice—she, realizing what she was, decided to give up the hero, whom she loved passionately. One could not help feeling deeply at her sacrifice. One other blemish in the present version is the fact that the heroine takes her own life in the end; in the Universal version she had died when a bomb, dropped by a Zeppelin, had fallen near her. The MGM version has followed the Universal version in one particular—in introducing in the story the hero's family; no family was dealt with in the stage play. The picture has been produced much more lavishly than was the Universal version, and the leads are, of course, incomparably more popular:—

Vivien Leigh, a ballet dancer, meets Robert Taylor, a captain in the British army, and soon the two fall in love with each other. Robert obtains the permission of his regiment's commanding officer to marry Vivien, but before marrying her his regiment is ordered to the front. She soon reads in the papers that he had been killed. Unable to obtain employment she sells herself to make a living. Months later she is at a railroad station to pick up some soldier when returning Robert, who had not been killed but merely made a prisoner, sees her at the station. His joy is indescribable, for he had thought that she had been waiting for him. He takes her to his home in the country and introduces her to his family. Their engagement is announced, but Vivien, realizing that she could never be happy as his wife, leaves secretly and returns to London. She kills herself by throwing herself in the path of a speeding military truck.

Mervyn LeRoy directed it and Sidney Franklin produced it from a screen play by S. N. Behrman, Hans Rameau and George Froeschel.

Not a picture for family days—Class B.

**"Men Without Souls" with John Litel,
Barton MacLane and Rochelle Hudson**

(Columbia, March 14; time, 60 min.)

A minor program offering. It is a rehash of the typical prison story; the surroundings are sordid since all the action takes place in the prison. Women will find very little in it to entertain them, for there is just a hint at a romance, and only one brief appearance of the heroine, who is the only woman in the cast. The plot is so familiar that it is doubtful if the average picture-goer will have the patience to sit throughout the entire picture. Two attempted prison breaks are the only exciting occurrences:—

John Litel, newly appointed chaplain at an ill-conducted prison, tries his best to win the friendship of the inmates. But they resent him because, on the first day of his arrival, he had foiled an attempt by Barton MacLane, the toughest prisoner, and a few other prisoners, to escape. Glenn Ford, a new prisoner, is warned by MacLane not to be friendly with Litel. Ford had purposely committed a crime so as to be sent to the prison, his purpose being to kill Cy Kendall, a brutal guard, who had been the cause of the death of Ford's father, while a prisoner there. But Litel, with the help of Rochelle Hudson, Ford's sweetheart, convinces Ford that he should abandon his plans. MacLane plans another break and insists that Ford go with him. When Ford refuses, he feels certain that he would give his plans away. Noticing that Kendall talked confidentially to Ford, MacLane suspects the worst; he kills Kendall and places the blame on Ford. Ford is tried and sentenced to death. On the day of his execution, MacLane starts his preparations for escape. In blowing up the boiler room to aid his escape, he is injured. Sorry for what he had done, MacLane confesses and clears Ford; he then dies.

Harvey Gates wrote the story, and Robert D. Andrews and Joseph Carole, the screen play; Nick Grinde directed it. In the cast are Don Beddoe, Eddie Langton, and others.

Not for children. Suitable for adolescents and adults. Class B.

IDLE TALK

Recently Sam Goldwyn issued a statement condemning block-booking but stating that some of the parts of the Neely Bill are "unbelievably bad."

What parts of the Neely Bill are bad and in which respect, Mr. Goldwyn did not say. Consequently this paper is compelled to class his criticism of the Bill as just so much idle talk. It is not constructive talk in any event.

Though Goldwyn has talked against the Neely Bill, he has begun to practice its provisions; he has just announced that he will sell "The Westerner" only after a tradeshowing in all zones.

CRITICIZING A CRITIC

In appraising the possible box office value of "The Life of Knute Rockne" in the May 11 issue, I stated that Pat O'Brien is miscast in the "part of dynamic Knute Rockne."

Bryan Foy, the producer, objecting to the criticism, has written me partly as follows:

"I think you're sticking your chin out when you say that Pat O'Brien is miscast in the LIFE OF KNUTE ROCKNE. When you say he is miscast, do you mean he couldn't act like Rockne? Do you mean to say he won't look like Rockne? Or do you really mean that you don't think that Pat is a box-office personality? For your information, he acts like Rockne, talks like Rockne, and looks like Rockne. I don't think it's fair for you to criticize an actor in the picture until you've seen the picture, any more than I can criticize any of your reviews until I've read them."

"You should know that no actor makes a picture, but great pictures always make an actor. In other words, the 'play's the thing' regardless of who's in it if the people in it are capable. Don't you think Pat O'Brien was good in the FIGHTING 69TH? Don't you think he was good in ANGELS WITH DIRTY FACES? When O'Brien is in a good picture, the picture always makes money, and Spencer Tracy, Clark Gable and Pat O'Brien together in a bad picture won't get a quarter."

Mr. Foy's remark that good actors in a poor picture don't draw is the gospel-truth.

Mr. Charlie Einfeld, director of advertising and publicity for Warner Bros., has sent me two stills of Pat O'Brien as Rockne to prove to me that he looks like Rockne, with the remark: "If you want to see a dynamic Pat O'Brien, take another look at 'Torrid Zone,' in which he is plenty that way."

SELZNICK DOING WHAT HE PREACHES

Talking at the United Artists' sales convention, held recently in this city, David Selznick said that, beginning this season, his pictures will not be sold to the exhibitors until after they are tradeshowed.

This paper has had many an occasion to acquaint you with Mr. Selznick's feelings towards compulsory block-booking. You were told, for example, that, in buying the Selznick product from United Artists, you could buy either the entire Selznick series, or only one picture, just as you saw fit. This time, however, he went further—he has practically adopted the Neely Bill.

HARRISON'S REPORTS has often said that if Mr. Selznick can sell pictures individually, not compelling an exhibitor to buy all his pictures in order for him to obtain the picture he wants, why can't others? They can, but they won't. And the reason

for it seems to be either their lack of the kind of courage Mr. Selznick possesses, or their inability to pry themselves loose from the system.

Compulsory block-booking and blind-selling are doomed, and the quicker every one in this industry recognizes the fact the quicker the industry will be put on a sound basis. It is useless for those who want to retain this vicious system to battle for its retention; they will be compelled to accept the new order of things soon.

PICTURES NOW IN PRODUCTION

Columbia

"OUT WEST WITH THE PEPPERS," appraised in last week's issue under the title, "Five Little Peppers Abroad." Program.

"BLONDIE BEWARE," appraised last week as "Blondie No. 6." Program.

"THE DURANGO KID," with Charles Starrett. Program.

"MILITARY ACADEMY," with Tommy Kelly. Program.

Metro-Goldwyn-Mayer

"ESCAPE," with Norma Shearer, Robert Taylor, Nazimova, Paul Lukas and others, produced by Lawrence Weingarten and directed by Mervyn LeRoy. The powerful Ethel Vance novel. Very good to excellent.

Paramount

"TEXAS," appraised last week as "Texas Rangers Ride Again." Program.

"RHYTHM ON THE RIVER," appraised last week as "Ghost Music." In quality, better than the average Bing Crosby picture, with box-office results in each theatre depending on Mr. Crosby's popularity.

RKO (Radio) Pictures

"DANCE, GIRLS, DANCE," appraised last week as "Have It Your Own Way." Fairly good.

"STAGE TO CHINO," with George O'Brien. Program western.

Twentieth Century-Fox

"I MARRIED A NAZI," the *Liberty Magazine* serial, with Richard Greene, Joan Bennett, Anna Sten, and Johnny Russell. It deals with an English-woman who married a Nazi, and saw their terroristic methods from close quarters. Because of world conditions, the picture should not be produced.

"THE BRIDE WORE CRUTCHES," with Ted North, Lynn Roberts, Robert Armstrong and others. Program.

Universal

"SLIGHTLY TIED," with Hugh Herbert, Johnny Downs, Peggy Moran, Elizabeth Risdon, George Stone, Ed Gargan and others, produced by Ken Goldsmith and directed by Lew Landers. Fair to fairly good.

"I'M NOBODY'S SWEETHEART," with Helen Parrish, Dennis O'Keefe, Constance Moore, Lewis Howard, Berton Churchill, Laura Hope Crews and others. Fairly good program.

Warner-First National

"THE MAN FROM FLEET STREET," with Edward G. Robinson, Eddie Albert, Edna Best, Donald Crisp, Gene Lockhart, Montague Love, Otto Kruger, Dickie Moore, Harry Green and others, produced by Henry Blanke and directed by William Dieterle. Good to very good.

"RIVER'S END," with Dennis Morgan, Elizabeth Earl, and others. Program.

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HOW THE PRODUCER LOSSES FROM THE FOREIGN MARKET MAY BE MET!

Though year after year the distributors have asked more money for their pictures, they had no other argument other than that pictures had been costing more. This year again they are going to ask for more money, this time giving as an excuse that, having lost the European market as a result of the war, they must get more money from their pictures at home in order that they may be enabled to meet the cost of pictures which is, according to their assertions, growing higher each year. This the exhibitors can do in two ways: raise their admission prices, and give pictures longer runs.

To raise admission prices seems to be an easy advice, and exhibitors might be inclined to take it, if they could only induce the public to pay the increase; but they, being close to the public and knowing the public mind better than those who live in the private world of Hollywood, know that, if they raise the prices, more picture-goers will keep away from picture theatres, by reason of the fact that, as conditions now are, they cannot afford to pay more money than they are paying now. People have enough trouble meeting the grocery bill, the butcher bill, the house rent, the insurance, and the one thousand and one other items without having to trouble themselves about paying more money for their picture entertainment.

Even if business conditions were not as bad as they are, still the exhibitor would have a hard time making the public pay more; the uncertainty of the conditions due to the European war would prompt them to save every penny they can.

Since the exhibitors cannot induce the public to pay more money for picture entertainment, and since the percentage of pictures that deserve longer runs is small, how can a producer obtain greater returns from his pictures?

In two ways: improvement of picture quality, and drawing back the thirty-five million or so weekly admissions that have been lost since 1929.

Improvement of the picture quality seems to be a hopeless task so long as persons who are incompetent at judging story material are kept in control, and competent persons are suppressed from fear of such persons' ability. Those in control want to remain in control. And the only way by which they could do so is to prevent persons more competent than they are from having the opportunity of showing their worth.

As to the second suggestion—attracting those who have stopped going to picture theatres, let us examine it with a view to finding out what can be done.

The producer has been in the habit of blaming the exhibitor for his failure to exploit a picture properly, when it failed to draw, but in few instances has the producer furnished him with the necessary aid. Most exhibitors are not exploitation men, and in order that they may be enabled to exploit a picture properly they must be guided by the producer, who employs highly paid exploitation men.

Lately there has been a tendency on the part of the producer to offer the exhibitor greater aid in exploiting his pictures; and, whenever serious efforts have been made, the results have been highly favorable.

Let us examine what each company has done, and what it should further do, to help the exhibitors get back some of the public that is staying away from pictures.

Columbia

Columbia has had in the field a small temporary force of exploitation men, covering the New York, Philadelphia, Chicago and Los Angeles zones, handling its biggest pic-

tures. It may send out a permanent staff this fall. Frank McGrann is in charge of exploitation nationally, and has a man in the New York and Chicago offices to work with the exhibitors of those territories.

Metro-Goldwyn-Mayer

MGM has had all along a permanent staff in 27 zones, and the men whom William Ferguson has in charge in every territory have more than justified their upkeep. Independent exhibitors report that they have had advertising aids from MGM more than from any other company, and they receive such help consistently, and not for only one or two percentage pictures in a season. In many instances MGM will give a theatre 24-sheets to post prior to the opening, if the exhibitor will undertake to have them posted. These exploitation men always have with them mats and stills for the newspapers, and prepare the material for the newspapers, and plant it, themselves. Although the exhibitor is supposed to pay for mats and stills at the exchange, when the exploitation man supplies them, he is not charged for them anything.

On "Gone With the Wind," forty exploitation men were put on the road.

Every other producer should study the MGM system if he wants to get results.

Paramount

Paramount has four men from the studio-publicity department and four from the New York press-book department doing special publicity, both east and west, for such pictures as "Dr. Cyclops," and "The Biscuit Eater." Certain cities may be serviced this fall, but no decision has yet been reached as to the number of men who will constitute this staff. Alex Moss, who is in charge of the field force, may receive permission to extend this service to the bigger exchanges, but the recent engagement of the Tom Fizdale free lance publicity office, which handles radio clients in the main, may alter the details of this exploitation service. The Fizdale office handled some work for "Dr. Cyclops," and, as this office understands, it has been engaged for general publicity, and the Paramount press staff has been instructed to turn their contracts over to the Fizdale representatives, and to cooperate with them in every respect.

But the exploitation staff should be more careful on the type of copy it sends out. An out-of-town exhibitor has informed this office that a publicity release on "I Want a Divorce" bragged that every member of the cast and almost every member of the technical staff has been divorced at least once, and some of the players twice and three times; it is not in good taste. While this exhibitor has not yet heard from the women's clubs, Parents Teachers Associations and from Catholic organizations, he feels sure that he will soon receive such calls.

RKO

Mr. Barrett McCormick, head of the publicity and advertising department of this company started a road publicity and exploitation staff under Terry Turner, and at one time he had twenty-one representatives on the road, helping the exhibitors to put over "Abe Lincoln in Illinois," and "Pinocchio." Most of these men have been recalled, but plans are in the process of completion to have at least twenty exploitation men in as many exchanges the coming season. In addition to the home-office staff, it has a permanent representative in Chicago.

United Artists

Over at the home office of this company, this type of service has long been appreciated and most United Artists pictures have had an intelligent follow-through campaign
(Continued on last page)

"Hot Steel" with Richard Arlen and Andy Devine

(Universal, May 24; time, 60 min.)

A fair program melodrama with comedy. The best part is that which shows stock shots of the work done at a steel mill; these are both instructive and interesting. But the story itself is routine, slightly far-fetched, and even a little unpleasant because of the actions of two characters, Andy Devine manages to provoke laughter on a few occasions by his excitable outbursts. The romance is pleasant but incidental:—

Andy Devine, prize-winning furnace man at a steel mill, is overjoyed when Richard Arlen, a former college pal, arrives at his home. Arlen's arrival pleases also Peggy Moran, Devine's sister, who resented her brother's reference to her as a child. Since Devine's mother ran a boarding house, Arlen decides to make his home there; Devine obtains a position for him at the steel mill. Annie Nagel, the flirtatious wife of a jealous steel worker, starts trouble by paying too much attention to Arlen, who tries to avoid her. Unknown to her husband, she was carrying on an affair with Donald Briggs, the plant manager, and planned to run away with him as soon as he got together enough money. Arlen, who had studied metallurgy at college, works out a formula for a new, finer grade steel. Briggs finds out about it, and urges Miss Nagel to steal it from Arlen. She does this and rushes with it to Briggs. But her husband follows her, confronting her with her lover. Briggs kills him, leaving the steel sample near him. The police arrest Arlen for the murder, but release him on bail. In the meantime, Briggs, by means of a worker in his mill, sends the formula to a rival steel man for sale. When Arlen reads about the formula he realizes it was his. Arlen and the police work out a plan whereby they trap both Briggs and Miss Nagel. The formula is recovered; its sale meant riches for Arlen. He plans to marry Miss Moran.

Maurice Tombragel wrote the story, and he and Clarence U. Young, the screen play; Christy Cabanne directed it, and Ben Pivar produced it. In the cast are Wade Boteler, Joe Besser, and others.

Not for children. Suitable for adolescents and adults. Class B.

"I Can't Give You Anything But Love Baby" with Broderick Crawford, Johnny Downs and Peggy Moran

(Universal, June 21; time, 60 min.)

The action in this program comedy with music is so fast that one does not stop to consider whether the story makes sense or not. The masses should find it entertaining, for it satirizes gangsters, the music publishing business, and radio in so amusing a fashion that it keeps one laughing almost throughout. The only sane characters are those played by Johnny Downs and Peggy Moran; they make a pleasant romantic team and put over a few song numbers well:—

Johnny Downs, with the help of Peggy Moran, sells a theme song to a radio station, for which he receives a check. Just as he was leaving the bank, where he had gone to cash the check, he steps right into the path of holdup men. His first thought was to protect an old lady (Jessie Ralph), who was standing next to him. He takes her home, not knowing that she was the mother of Broderick Crawford, a notorious gangster, and that she was even tougher than her son, whom she had trained to be a gangster. To show her appreciation, she sends Crawford to Downs' apartment with some money. Crawford, who was sentimental, becomes interested in Downs' ability to write music. He decides to collaborate with Downs, who is helpless to resist. Crawford, who had for years been looking for his childhood sweetheart, decides to write a song with Downs about his old school days, hoping that his old sweetheart would see it and rush to his arms. But he makes a prisoner of Downs. In order to get away, Downs pretends that he was in love, and names a famous actress as the one he loved. Crawford immediately orders his men to bring the actress, a preacher, and the marriage license clerk to the apartment so as to force the actress to marry Downs. After much excitement during which Downs is kidnapped by a rival gangster (Warren Hymer), the whole matter is cleared up. It develops that the actress was none other than Crawford's childhood sweetheart. So Crawford marries her and Downs marries Miss Moran. Crawford and Hymer decide to give up racketeering so as to write songs together.

James E. Grant wrote the story, and Arthur T. Horman, the screen play; Albert S. Rogell directed it, and Ken Goldsmith produced it. In the cast are Gertrude Michael, John Sutton, Horace McMahon, Dewey Robinson, and others.

Suitability, Class A.

"Ski Patrol"

(Universal, May 10; time, 64 min.)

This melodrama, dealing with the Russo-Finnish War, is just program entertainment. The production values are ordinary—with the exception of the stock shots showing skiers racing down the snowy mountains, the backgrounds are commonplace. The one thing in its favor, however, is the timeliness of its subject matter, which might prove of interest to those who enjoy pictures of the present war. There are a few situations that hold one in suspense. The most powerful situation is that which shows a group of men from the Finnish Ski Patrol, with cans of nitroglycerin tied around their necks, racing towards the entrance of the enemy's mine so as to explode it. A romance is introduced, but it is of slight importance:—

Philip Dorn, Finland's Olympic skiing champion, is made commander of the Ski Patrol when his country enters into war with Russia. He tries his best to comfort his men, whose task was a dangerous one. Realizing that the Russians were preparing to blow them up, Dorn sets out with four other men in an attempt to blow up the entrance to the mine, and thus prevent them from entering it. All his men are killed. He alone manages to come within a short distance of the mine entrance. But he is spotted. The Russian commander sends one of his officers to pick Dorn up. It develops that the officer was a friend, a former Olympic skiing champion. In order to save Dorn's life, the Russian officer takes from him the cans of nitroglycerin and goes back to his quarters, his intention being to report Dorn dead. But the commander knew otherwise and shoots the traitor. The bullet, going through the cans of explosive, causes them to explode, blowing up the mine and killing the Russians.

Paul Huston wrote the original screen play, Lew Landers directed it, and Warren Douglas produced it. In the cast are Lulu Deste, Stanley Fields, Samuel S. Hinds, Edward Norris, and others.

Suitability, Class A.

"Sandy Is a Lady" with Baby Sandy, Nan Grey and Tom Brown

(Universal, June 14; time, 63 min.)

This comedy offers a trite plot, forced comedy situations, and nonsensical action. Its appeal should be directed mostly to youngsters, who may be amused by the antics of Billy Gilbert and Mischa Auer. Aside from one exciting situation where Baby Sandy walks across steel beams, sixteen floors above street level, the action is slow; and even that one situation is based on an old idea. As a matter of fact, most of the gags are old. Not even such capable comedians as Mischa Auer and Billy Gilbert are able to rise above the poor material:—

Nan Grey, eager to make a good impression on her husband's (Tom Brown's) employer (Eugene Pallette), who was expected for dinner, needs time for shopping. Billy Gilbert, next door neighbor, promises to take care of her baby (Baby Sandy). But he in turn puts Sandy in the care of his two young boys (Butch and Buddy). Eager to earn some money so as to help their father, Butch and Buddy set out to play music on the streets; they take Sandy with them. She gets away from them, wanders around in a restaurant, eludes a frantic policeman, and finally winds up with Pallette himself, who believed her to be his nephew's child because of a trick played on him by his nephew. Pallette takes Sandy to the place where he was putting up a new building. While Pallette was having an argument with Gilbert and Auer, who were trying to sell him a parachute invention for steel workers to wear so that if they should fall from a beam they could open the cord and fly to the ground, Sandy gets into a lift that takes her up sixteen floors. She starts walking across the beams. Pallette, Auer, and Gilbert go after her. Gilbert saves her, but Auer and Pallette fall. Auer holds on to Pallette, opens the cord of the parachute he was wearing, and floats to the ground with Pallette. Pallette buys the invention and gives Gilbert a job. Sandy is returned to her parents. Pallette and Richard Lane, a prospective bridge builder, arrive at Brown's home; Lane tells them he had received a lower bid from another company. But Sandy saves the day by displaying the "bid" papers which had accidentally become attached to her dress, for they showed that the bid was higher than Pallette's. Lane gives them the contract, Brown gets a raise, and every one is happy.

Charles Grayson wrote the original screen play, Charles Lamont directed it, and Burt Kelly produced it. Edgar Kennedy, Fritz Feld, Anne Gwynne and others are in the cast.

Suitability, Class A.

"Gangs of Chicago" with Lloyd Nolan and Barton MacLane

(*Republic, May 19; time, 66 min.*)

From a technical standpoint, this gangster melodrama is as good as most major company product; the story is believable and the direction and acting are good. But, as is the case with most gangster pictures, it is demoralizing, particularly so here, since the hero, having studied criminal law and knowing how to keep within the law, builds up and directs a powerful criminal organization and a fortune for himself. Even though he pays for his misdeeds in the end, it is not properly effective because it is brought about merely by an accident and not by remorse. Yet, wherever gangster pictures go over, this should do well, for it has the usual exciting action that goes with pictures of this type and holds one in suspense. There is a slight hint at a romance but it does not materialize:—

Lloyd Nolan, whose father had been killed by a policeman, decides to choose a life of crime so as to outwit the law. He goes to law school, but shows an interest only in criminal procedure, the reason being that he could learn all the angles and outwit the lawmakers. His roommate (Ray Middleton) urges him to spend his summer vacations at his parents' farm. Nolan is touched by the kindness of Middleton's family, and is attracted to his sister (Lola Lane); yet he does not change his plans. After graduation he loses contact with Middleton. Nolan becomes connected with Barton MacLane, a gangster. With Nolan's brains and MacLane's power they build up an organization that is so powerful that criminals have to pay them a share of whatever loot they get. Unable to get anything on Nolan, the District Attorney pleads with Middleton to get a job there and report to him. Middleton balks at spying on his friend, but, hoping to prove Nolan's innocence, undertakes the work. MacLane learns the truth and plans to kill Middleton. He has his henchman shoot him. Despite his friend's disloyalty, Nolan cannot bear to see him die, and so rushes him back to his farm. MacLane and a few gangsters follow. They get into a gun fight with Nolan, but are finally subdued. Although badly wounded, Nolan confesses everything to the District Attorney, knowing it would mean prison for life for himself. He forgives Middleton.

Karl Brown wrote the original screen play, Arthur Lubin directed it, and Robert North produced it. Astrid Allwyn, Horace MacMahon, Howard Hickman, Addison Richards, Leona Roberts, and others are in the cast.

Not for children or adolescents. Adult fare. Class B.

"21 Days Together" with Laurence Olivier and Vivien Leigh

(*Columbia, May 16; time, 72 min.*)

This British-made melodrama will have to depend for its box-office draw mainly on the popularity of Vivien Leigh and Laurence Olivier. The story is sordid and harrowing. Moreover, the direction is stilted; as a result the performances of the two stars are not up to the standards of the American pictures in which they have appeared; Olivier particularly is at a disadvantage. Class audiences may enjoy it because of the novelty of setting and atmosphere. The romance is strong; and the plight of the lovers places them in a sympathetic position:—

Laurence Olivier and Vivien Leigh are in love with each other. But both are without funds and pawn whatever they can for their food. When they return to her apartment one night they find there her worthless husband (Esme Percy) from whom she had been separated for three years. He demands an exorbitant sum of money, and a quarrel starts between him and Olivier. During the scuffle, Percy falls to the ground, striking his head on the fireplace; he dies. Terrified, Olivier takes the body out and places it in an alleyway. He then rushes to his brother (Leslie Banks), an eminent lawyer who was about to receive an appointment as Judge in a high court, and tells him what had happened. Banks, fearful that his own future might be ruined, instructs him not to see Miss Leigh, and orders him to get back everything they had pawned; he gives him money for that purpose. Olivier rushes back to the pawnshop to buy back the things they had pawned; when he comes out, he is stopped by an elderly man who asks him for a cigarette. The man tells him that he had once been a minister, but had sinned and gone down in the world. Olivier drops his gloves, which the beggar picks up and puts on. Later the beggar is arrested for the murder, and, since he admitted having taken a ring from the dead man's finger and wore the gloves that had blood stains on them, he is held for trial. Olivier, reading about the arrest, wants to give himself up, but Banks begs him not to do so, for he felt that the case against the beggar would be dismissed. Olivier and Miss Leigh are married and spend all their time together, wait-

ing for the end of the trial. The beggar is found guilty. Olivier leaves for the police station to give himself up; but Miss Leigh, having heard that the beggar had died from a heart attack, rushes after Olivier and saves him from giving himself up. They are happily reunited.

The plot was adapted from a story by John Galsworthy; Basil Dean and Graham Greene wrote the screen play, and Mr. Dean directed and produced it. In the cast are Francis Sullivan, Hay Petrie, Robert Newton, and others.

Unsuitable for children or adolescents. Adult fare. Class B.

"Our Town" with William Holden, Martha Scott, Frank Craven, Beulah Bondi, Guy Kibbee, Stuart Erwin and Thomas Mitchell

(*United Artists-Sol Lesser, May 24; 90 min.*)

From an artistic point of view it is an outstanding production. Director Sam Wood cast it so successfully that the players seem to live their respective parts. The acting of William Holden, as well as of Martha Scott, is outstanding; the personality of each is winsome, and each is able to express deep emotion with ease and conviction. Though the story deals with a small town, and its people, the direction is so expert that the picture has turned out one of the finest dramas of the season, worthy of the best theatres anywhere. One of the outstanding situations is where the boy and the girl express their love for each other after hesitating as a result of bashfulness and timidity. One of the others is where the heroine is shown dying in giving birth to a child; she is so pathetic that she breaks one's heart. The story unfolds as it unfolded in the Thornton Wilder stage play: Frank Craven, the town's drug-store man, again talks to the audience, telling about the town, its people and their doings, and again afterwards the different characters take up the action. The producer has altered the stage-play plot considerably, particularly in the end, where the heroine does not die. The picture is considerably somber.

Class A.

(*EDITOR'S NOTE: Read the appraisal made of this story material in the February 24 issue of HARRISON'S REPORTS.*)

"Women in War" with Elsie Janis, Wendy Barrie, Patric Knowles and Mae Clark

(*Republic, June 6; running time, 73 min.*)

A creditable production, so far as motivation, direction, acting, settings, photography and atmosphere are concerned. It is one that demonstrates conclusively that Republic has graduated at picture-making. As to its box-office possibilities, these are doubtful, not only because of the fact that the story is not "heavy," but also because the picture-going public is not just now in a mood to accept war stories as entertainment.

It is the story of an English heroine (Wendy Barrie), who is tried in a London court and acquitted of the murder of an army officer. She had merely pushed him when he had made an insulting proposal to her; he had fallen, and had struck his head against a sharp object. Her lawyer had brought about her acquittal by making the jury believe that she, too, was a uniformed person—a nurse. After her acquittal, she has to become a nurse in order to uphold the lawyer. At the front, the heroine is in the nursing corps where her mother (Elsie Janis), whom she had not known, was a head nurse. The heroine takes a dislike to her mother. The other nurses continually "ride" the heroine because of her notoriety. Accidentally she meets the hero (Patric Knowles), engaged to Mae Clark. Mae becomes jealous and upbraids Wendy. Innocent Wendy resents Mae's insinuations and decides to take Patric away from her. Patric really falls in love with her, and she with him. Three trucks, loaded with medical supplies, are ordered to the front. The heroine was in the truck that was driven by Mae. Mae purposely takes the wrong road, driving to a town that was shelled by the British themselves. The nurses take refuge in an old building. Finally Mae realizes the wrong she had done to Wendy and the others and, rushing out, sets out to inform the British of their predicament. But she is killed. Miss Janis, who had sought and found them, goes through the lines, and reaches the batteries. In the meantime, the assistant to the head nurse informs Wendy that Elsie was her mother. Wendy then realizes that her mother had risked her life to save hers. Wendy and Patric become engaged.

The story is by F. Hugh Herbert and Doris Anderson; the direction, by John H. Auer. Sol C. Siegel produced it.

Suitability, Class A.

designed to help the little fellow as well as the de luxe circuit houses. Lynn Farnol has placed Monroe Greenthal in charge of the national exploitation staff, and starting this week he will have men in the field covering fifteen exchanges in all. There will also be a special staff to handle the premiere of Sam Goldwyn's "The Westerner."

United Artists has had a publicity man attached to the Chicago office for years, because of the importance of this city in national news-breaks, particularly with stars and with executives passing through that city almost every week.

Twentieth Century-Fox

Twentieth Century-Fox is the only major company that has not had any representative in Chicago, and this omission has undoubtedly cost them many a syndicate picture-break. Rodney Bush handles the exploitation in New York, under Charles McCarthy. It is understood, however, that this company does not intend to compete with rival companies in the selling of their product to the public during the coming season; they will leave the exhibitor to shift for himself.

When "The Blue Bird" was released, there were a few exploitation engagements, and now the New York and the Coast staffs have joined efforts to put over the premiere of "Lillian Russell" in Pittsburgh, and at Clinton, Iowa.

Mr. Zanuck has been urging the exhibitors to increase their admission prices and to give the Twentieth Century-Fox pictures longer runs, but his company is doing nothing to help the exhibitors get more money, and he is doing less in delivering to them better product. A few more pictures like "Lillian Russell," and "The Blue Bird," and he will have no longer exhibitors to appeal to—they will be out of business.

Universal

Universal has an exploitation staff on the road now and then, and the plans for the coming season have not yet been definitely formulated. It will undoubtedly do what other companies are doing to help the exhibitors.

Warner-First National

Warner-First National maintains a permanent exploitation staff in New York under Mort Blumenstock; also in Chicago and in Los Angeles, as well as in five other exchange-center cities. The service may be extended to other cities in the near future.

Such are the facts gathered by this paper.

If the producers hope to attract back to the theatres those who have kept away from it, and to induce many of those who have never gone to pictures to make a start now, they must improve the quality of their pictures, and all must employ strenuous exploitation methods. The exhibitor needs exploitation help more now than ever, because many people have stopped going to theatres, being despondent on account of the European war situation. Dr. Gallup stated at the recent interview with the press, arranged by Mr. Goldwyn, that the weekly attendance at the picture theatres is much less than the industry believes it is; and unless something is done the audiences will further dwindle. If all the producers do what they should do in exploiting the home market, they will not have to worry about the loss of the foreign market; the home market is rich enough to sustain them.

IT IS FUNNY THOUGH TRAGIC

At the hearings of the Neely Bill before the House Committee on Interstate and Foreign Commerce, Charles C. Pettijohn, of the Hays office, warned the committees that passage of the Neely Bill meant higher admission prices to the picture theatres—as high as 75c.

When one reads in the trade papers statements from picture executives—Zanuck, for example—urging the exhibitors to charge higher prices, in addition to giving the pictures longer runs, as the only means by which the exhibitors could help the producers to stay in business, now that they have lost their European market and are compelled to seek some other method by which they may obtain additional revenue, an exhibitor cannot help laughing even though his heart may be breaking at seeing so much junk thrown on him as entertaining pictures. I hope that the proponents of the Neely Bill have not failed to put this into the record, as an answer to Pettijohn and to all others who have tried to scare the committee into reporting the Bill adversely.

Another matter Pettijohn "harped" on is the same old statement—that the exhibitors cancel clean pictures but not salacious ones. And he gave the list of such pictures and the number of cancellations, supported not by records, but merely by his own word. I hope that Allied has not failed to inform the committee that the salacious pictures Pettijohn has talked about have been produced, not by exhibitors, but by producers, and that, if any exhibitors have shown such pictures, these have been mostly affiliated exhibitors; and that, if any independent exhibitor has been guilty of such an offense, it has been because the contract he has to sign leaves him no way out—he has to show such pictures, particularly if they are of the percentage class, for if he were to shelve them he would go out of business in no time.

Certainly, Pettijohn has nothing to fear from the passing of the Neely Bill, if what he says is true; for if sex pictures make money for the exhibitor, they surely make money also for the producer, and if the exhibitor is in the habit of showing such pictures he will show them as frequently under the Neely Bill as he is showing them now—more frequently, if anything, according to the Pettijohn logic, for when the Neely Bill is made into a law, the exhibitor then will not be under compulsion to buy clean pictures in order for him to play the salacious pictures Pettijohn's employers are producing.

The Allied spokesmen should ask Pettijohn, for the enlightenment of the committee, when a producer has ever asked the exhibitors for their approval of stories! Charlie would certainly be put into an embarrassing position if he were to be asked such a question, for one thing Charlie cannot do is contravert facts: he will not be able to state to the committee that the producers have ever asked an exhibitor's opinion about the suitability of story material for picture purposes.

And even if they were to start asking now, a producer will not pay any attention to their viewpoint, for his purpose of submitting to them a question about story material would be to obtain, not their honest opinion, but only a corroboration of his own opinion. If their opinion should happen to be contrary to the opinion he had formed, he would pay to it not the slightest attention.

Charlie Pettijohn speaks as an authority as to what would or would not happen to picture production if the Neely Bill should happen to go through. Has he ever produced a foot of film? His greatest experience in the motion picture industry has been killing legislation.

PICTURES NOW IN PRODUCTION

Columbia

"GRIBOUILLE," with Brian Aherne, Rita Hayworth and Dorothy Burgess, produced by B. B. Cahane and directed by Charles Vidor. Fair program, with a very poor title.

"MISSING EVIDENCE," with Jack Holt. Program.

Paramount

"VICTORY," with Fredric March, Betty Field and others, produced by Anthony Veiller and directed by John Cromwell. Fair to fairly good.

"DOOMED CARAVANS," with William Boyd. A Harry Sherman western.

Twentieth Century-Fox

"CHARLIE CHAN IN THE WAX MUSEUM," with Sidney Toler. Program.

United Artists

"KIT CARSON," with Jon Hall and Dana Andrews, produced by Edward Small and directed by George Seitz. The story is founded on the famous historical character, and the box-office results will depend mostly on the kind of story that has been written and on the exploitation that will be made of it, and partly on the title. Small is a good producer, and Seitz a good director; they certainly ought to be able to say whether the story the authors prepared was or was not good.

Universal

"SPRING PARADE," with Deanna Durbin, Robert Cummings, Mischa Auer, Andy Devine, Butch and Buddy (the impish children who first appeared in "The Under-pup"), and others, produced by Joseph Pasternak and directed by Henry Koster. From very good to excellent.

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WHAT ZANUCK SAID AND WHAT HE SHOULD DO

At the convention of the Twentieth Century-Fox sales forces, held here last month, Darryl Zanuck, head of the Twentieth Century-Fox studios, said that his company may spend even more than \$25,000,000 this year on production.

But in order that it might be enabled to spend so much money on production, the exhibitors, he said, must charge the public more, and must show the films longer.

"Production costs cannot be cut," said he. "The American public has demonstrated that it will pay for what it wants to see and it is up to the producers to give it to them. Little pictures will not bring returns in the domestic market and the foreign market is nil, especially for the smaller pictures. With the companies more dependent than ever on the domestic market, we must have higher admissions and longer playing time to help pay for the bigger and better pictures."

It is manifest that Mr. Zanuck is still living in the 1929-37 world; he does not realize that this is 1940, and that business conditions are worse than this country has seen for a long time. Almost everybody is under a great emotional stress—"emotional depression," as Mr. Douglas Churchill, Hollywood correspondent of the *New York Times*, has said. Were the exhibitors to raise the prices of admission as a matter of permanent policy, the attendance would be reduced by fifty per cent overnight.

When Zanuck said that the public will pay whatever price is charged to see what it wants to see, it is clear that he referred to Selznick's "Gone with the Wind." Does he know what happened in a town before the picture was shown and afterwards? If he does not, he should make it a point to obtain the information. Just to save him the time, however, this paper will say that in most cases people kept away from the theatres before, so as to save the needed money to pay for the high admission charged, and kept away from them afterwards, so as to recover from the shock.

But what big Twentieth Century-Fox pictures deserve an increase in admission prices? "The Blue Bird"? "Lillian Russell"? Or his latest brain child, "Four Sons"? If Mr. Zanuck refers particularly to "Four Sons," he ought to pay the public to see it.

Low admission prices and short runs on big pictures is not what is troubling the industry, Mr. Zanuck, but the fact that one man is trying to do the impossible, produce fifty-two pictures a year—select the stories, approve the scripts, choose the director and the leads, cast them, and supervise their editing in the cutting room. How can any single person, be he the world's outstanding genius, do all these things, besides attending to one thousand and one other matters required in the conduct

of a studio so big as the Twentieth Century-Fox is beyond human understanding. And that is exactly what you are doing, Mr. Zanuck. And that is why the quality of your pictures has lately fallen so low.

Split up production into units, Mr. Zanuck! Let others share some of the responsibility. Perhaps then you and the other studio heads who are trying to imitate you will be producing pictures that deserve longer runs, if not always higher admission prices.

Dividing responsibility and selling pictures on merit will save the industry—nothing else.

THE PRODUCERS' LACK OF VISION CAUSING INDUSTRY CRACK UP

In his column that appeared in the June 2 *Sunday Times* (New York), Douglas Churchill, the *Times'* Hollywood capable correspondent, wrote partly as follows regarding the mood the producers are now in:

"The war continues to be the dominating influence in the operation of Hollywood's studios. Added to the dissipation of foreign markets is the menace created by the most appalling box-office receipts in years. The public is staying away from theatres in alarming numbers. With several companies depending upon the daily cash returns for continued production, the distress in some quarters is acute. This national disinterest in pictures, occasioned by the emotional depression of America, may make it impossible for some lots to meet their payrolls. . . ."

Almost every one of the studios has tried to meet the situation with economies, but almost every one of them has employed the wrong methods. For instance, instead of reducing their high salaries, the studio executives have been discharging low-salaried employees—mechanics and stenographers, thus adding to the distress by swelling the ranks of the unemployed, whereas the reduction of their own salaries would effect far greater economies than that which has been effected by these discharges. Only two highly-paid executives have so far volunteered to reduce their salaries—George J. Schaefer, President, and Ned Depinet, Vice-President, of RKO.

The producers have not yet realized that the present depression is an altogether different depression than any of the depressions that we have had in years; as Mr. Churchill has put it, it is an emotional depression. And such depressions cannot be combatted by the discharge of low-salaried employees, or even by a generous reduction of the salaries of highly-paid executives, but only by adopting bold and startling measures.

This depression may be mastered by:

(a) Revising radically the production system.
(Continued on last page)

"The Lone Wolf Meets a Lady" with Warren William and Jean Muir

(Columbia, May 30; time, 71 min.)

Typical in story development and production values to the other pictures in this series, "The Lone Wolf Meets a Lady" offers fairly good program entertainment for the followers of murder-mystery melodramas. Since the murderer's identity is not revealed until the end, it keeps one guessing; and it holds one in suspense because of the danger to both hero and heroine. There is some comedy and a romance:—

Jean Muir, engaged to wealthy Warren Hull, receives from him a diamond necklace which was a family heirloom; the gift is presented to her in the presence of some friends. She takes the necklace to her apartment, for she was to wear it that evening at a family party. Just as soon as she leaves, Marla Shelton, one of the guests, telephones to Victor Jory, a crook, tipping him off about the necklace; she did this in order to cover up gambling debts. Jory and Roger Pryor, Miss Muir's husband whom she believed to be dead, rush to Miss Muir's home to await her arrival. As soon as she arrives, Pryor enters the apartment and takes the necklace from her by force; but before he could leave, he is killed by a mysterious intruder, who in turn takes the necklace. Miss Muir, frightened, runs out of the house. She accidentally meets Warren William, a reformed jewel thief known as The Lone Wolf, and tells him the whole story; he promises to help her. As usual, the police believe that he had a hand in the murder and theft. William knows that, in order to prove his innocence, he would have to produce the real criminal. And so he starts an investigation on his own, trying at the same time to protect Miss Muir. He finally tricks the murderer into confessing, thus clearing up the case.

Louis Joseph Vance wrote the story, and John Larzin, the screen play; Sidney Salkow directed it; in the cast are Fred A. Kelsey, Robert Emmet Keane, Bruce Bennett, Georgia Caine, and others.

Not for children. Suitable for adolescents and adults. Class B.

"Way of All Flesh" with Akim Tamiroff and Gladys George

(Paramount, July 5; time, 85 min.)

When Paramount first produced this in 1927, it was an artistic but by no means cheerful picture. Nor is this remake any more cheerful; moreover, it is less artistic than the first version. Present-day audiences may find that the story is old-fashioned and a bit too maudlin in some spots. Considering, however, that it is a tear-jerker, it may appeal to women, for, as in the first version, it has pathos. A few situations are pretty strong. One situation is in the end, where the hero, old and bedraggled, watches through a window his family celebrating Christmas. Another emotionally stirring situation is that in which the hero realizes that his life was ruined:—

Akim Tamiroff, a bank cashier, is a happy husband and father of four children. The bank officials send him to New York to deliver valuable securities to a client. A gang of crooks, tipped off by a former bank clerk, trick Tamiroff into believing that they were the client's representatives. Berton Churchill, head of the gang, introduces Tamiroff to Muriel Angelus. The wine, music, and Miss Angelus' charm go to Tamiroff's head. He awakens in the morning to find the securities gone. Frantic, he rushes to the cafe and confronts the gang; they knock him out. One of the men takes him to the railroad tracks, intending to leave him there. He recovers in time to struggle with his captor; Tamiroff rolls off the tracks, but the crook is killed by the on-coming train. Because of a watch and some papers belonging to the hero found on the crook, the hero is declared dead. He decides to remain "dead" to his family and to the world. A broken man, he becomes a caretaker in a city park. Years later he attends a concert given by his son, a famous violinist; he weeps bitterly throughout the concert. He then goes back to the

his home town and from the outside watches his family celebrating Christmas and drinking to his memory. The older son, who had been called out by a policeman who had seen Tamiroff standing around, gives the old man some money, not realizing he was his own father. Tamiroff goes away, happy that his family still thought of him.

Lajos Biro and Jules Furthman wrote the story, and Lenore Coffee, the screen play; Louis King directed it, and Eugene Zukor produced it. In the cast are Gladys George, William Henry, Roger Imhof, James Seay, and others.

Not for children. Suitable for adolescents and adults. Class B.

"Brother Orchid" with Edward G. Robinson, Ann Sothern, Humphrey Bogart and Ralph Bellamy

(Warner Bros., June 8; time, 90 min.)

Although not a "big" picture, this offers fairly good mass entertainment. The story deals with gangsters; but it is not a typical gangster picture, for an important part of the plot revolves around the hero-gangster's reformation. This has been handled in a somewhat unique, comical way, without preaching; and although it is unbelievable that a character such as the one portrayed by Robinson could be so easily reformed, it points a good moral. The melodramatic action is rough and pretty exciting; this is so particularly in one situation where the hero and a few assistants beat up a gangster leader and his mob. There is plentiful comedy throughout; the laughter is provoked both by the wisecracks and actions on the part of the hero and the heroine:—

After having acquired a fortune as a racketeer leader, Robinson quits. He takes leave of his girl friend (Ann Sothern), promising to marry her some day, and then leaves for Europe, so as to travel and acquire culture. At the end of five years, he has neither culture nor money and so decides to return to America and racketeering. But Humphrey Bogart, the new leader, and his gang throw Robinson out when he calls. Enraged, Robinson forms a rival gang. Miss Sothern, who had become wealthy due to the generosity of Ralph Bellamy, a kind-hearted Westerner with plentiful money, who had loaned her enough money to buy a night-club, is worried about Robinson. She goes to Bogart and asks him to patch up the quarrel; Bogart pretends to be willing to do so and arranges a meeting. But he double-crosses Robinson and instructs his men to kill him. Robinson, wounded, escapes and crawls to a house, which turns out to be a monastery. He is taken in, cared for by the Brothers, and restored to health. At first he is puzzled by the setup, for here were a group of men devoting their lives to work for the benefit of others, without any monetary benefit to themselves. But later he begins to respect them. When he reads that he was supposed to be dead and that Miss Sothern was going to marry Bellamy, he induces the head (Donald Crisp) of the monastery to take him along to the city, where he was going to sell the flowers they had grown. He leaves Crisp and rushes to Miss Sothern's apartment; she is overjoyed to see him, and gives up plans of marrying Bellamy. Learning later that Crisp was unable to sell his flowers because he was not a member of the "protective" organization run by Bogart, Robinson is aroused. Taking with him Bellamy and his three cowboy friends, he pays a visit to Bogart. They beat up Bogart and the gang and then turn them over to the police. Robinson then decides that he was through with his old life. He tells Bellamy that Miss Sothern would be better off married to him; he then goes back to the monastery.

Riehard Connell wrote the story, and Earl Baldwin, the screen play; Lloyd Bacon directed it, and Hal Wallis produced it, with Mark Hellinger as associate producer. Allen Jenkins and others are in the cast.

Not for children. Suitable for adolescents and adults. Class B.

"Girl in 313" with Florence Rice,**Kent Taylor and Lionel Atwill**

(20th Century-Fox, July 12; time, 56 min.)

A routine crook melodrama of program grade. The production is somewhat lavish, although the main set, that of a hotel for women, looks like the one used in two other pictures—"Elsa Maxwell's Hotel for Women" and "Free, Blonde and 21." The action is developed according to formula, so that the spectator knows in advance just what is going to happen. As is usual in crook stories, one or two situations are somewhat exciting; in this picture the excitement is heightened a bit by the fact that the heroine's life is endangered. There is a romance, but it is not culminated in the end:—

Florence Rice, by posing as a crook and committing a daring jewel robbery, comes into contact with Kent Taylor, who worked with a gang of jewel thieves. He is so impressed with her daring that he recommends her to Lionel Atwill as a good possibility for their gang; he is unaware that she was working for the law and that her job was to expose his gang. She lives at a hotel for women, where an inquisitive maid (Mary Treen) becomes suspicious of her, because she finds a gun in her purse. Miss Rice and Taylor plan a very daring robbery; it is Miss Rice's hope to trap the gang during this robbery. But she feels pretty unhappy about it, for she had fallen in love with Taylor. Just when she was to leave the hotel to carry out her plans, Miss Treen, assisted by a few of the guests, holds her captive. Miss Treen telephones to her boy-friend, a detective (Jack Carson), to rush to the hotel because she felt she had captured an important jewel thief. Taylor, who had found out Miss Rice's identity, goes to the hotel to "get" her. But Carson arrives in time to save Miss Rice; he shoots and kills Taylor when he tries to escape.

Hilda Stone wrote the story, and Barry Trivers and Clay Adams, the screen play; Ricardo Cortez directed it, and Sol M. Wurtzel produced it. In the cast are Katharine Aldridge, Joan Valerie, and others.

Not for children. Suitable for adolescents and adults. Class B.

"A Fugitive from Justice" with Roger Pryor and Lucile Fairbanks

(First National, June 15; time, 53 min.)

A minor program melodrama. In spite of the fact that the story is routine, however, it may satisfy action-loving fans, for it moves at a fast pace. Discriminating audiences may be annoyed by the far-fetched plot, which results in illogical situations. On occasion one is held in suspense because of the danger to the leading characters. The comedy is mildly pleasant, and the romance is incidental:—

Roger Pryor, investigator for an insurance company, is offered \$20,000 by his company if he could locate Donald Douglas and escort him back safely to the police. Douglas, member of a racketeering outfit, had been arrested and released on bail; he had then run away. The insurance company was worried lest members of Douglas' gang would kill him; that would mean that the company would have to pay out \$1,000,000 on his insurance policy. By following clues given to him by Douglas' mother and sister, Pryor finally locates Douglas. He has a difficult time getting him back to town because Morgan Conway, head of the gang, and Sheila Bromley, who would collect \$500,000 on a policy if Douglas died, had followed him and tried to get Douglas. Conway kidnaps Douglas' mother and sister, thinking that in that way he could trap Douglas. Pryor, who had fallen in love with Douglas' sister, joins Douglas in his efforts to rescue his sister and mother. They find them at a warehouse, where they were held prisoners. Pryor manages to escape and to notify the police; he obtains the services of John Gallandet, a radio commentator, to induce Douglas to give himself up to the police and thus save his life. Things work out as Pryor had planned and Douglas gives himself up; the gang is

wiped out. Pryor and Miss Fairbanks plan to marry.

Leonard Neubauer wrote the story, and Alex Gottlieb, the screen play; Terry Morse directed it, and Bryan Foy produced it. In the cast are Eddie Foy, Jr., Thomas Jackson, and others.

Not for children. Suitable for adolescents and adults. Class B.

"Earthbound" with Warner Baxter, Andrea Leeds and Lynn Bari

(20th Century-Fox, June 7; time, 67 min.)

When this was first produced by Samuel Goldwyn in 1920 it was a pretty powerful drama but not a very successful box-office attraction. The present version is so inferior that it cannot be compared with the original, and its box-office possibilities are even less bright than they were in 1920. For one thing, the theme is too morbid for present-day consumption; for another, patrons do not enjoy pictures in which the spirit of a dead character walks through the story. A few alterations have been made in the plot; but they weaken the dramatic structure. With the exception of the heroine, no one awakens any sympathy:—

While spending a vacation mountain climbing with his wife (Andrea Leeds), Warner Baxter receives a telegram calling him back to Paris on an important business matter. He is reluctant to leave his wife, whom he adored, but felt he owed a duty to his friend (Henry Wilcoxon), whom the business matter concerned. He arrives in Paris only to find that the telegram had been sent by Lynn Bari, Wilcoxon's wife, with whom Baxter had been on intimate terms before he had married Miss Leeds. She tells Baxter that she still loved him and that she had left her husband. Baxter tries to reason with her. Finding it useless, he goes to his apartment and she follows him there. When Wilcoxon is announced, Baxter asks Miss Bari to wait in the adjoining room. He promises Wilcoxon to help bring about a reconciliation between him and his wife. He offers Wilcoxon a large sum of money to continue his research work. Excusing himself, he goes to the next room to write out the check and to plead with Miss Bari to go back to her husband. She shoots and kills him. Wilcoxon, who loved his wife, rushes into the room, takes the gun from her and throws it into the fireplace, where it falls into a compartment. He is arrested for the murder, tried, and convicted. Baxter's soul wanders on the earth. His one desire is to see justice done. Naturally no one can hear him; but Miss Leeds seems to sense his presence. Not knowing that it was Baxter's instructions that she was following, she goes back to the apartment, finds the gun, and proves that the fingerprints on it were not Wilcoxon's. Baxter is now at peace and his soul leaves the earth.

Basil King wrote the story, and Samuel Engel and John H. Lawson, the screen play; Irving Pichel directed it, and Sol M. Wurtzel produced it. In the cast are Charley Grapewin, Elizabeth Patterson, and others.

Unsuitable for children and adolescents. Adult fare. Class B.

METRO'S CONTRACT RIDER

Metro-Goldwyn-Mayer has sent out a Rider for each contract holder to sign so that the Cancellation, Exclusion for Cause, and Preferred Playing Time matters may become rights for each contract holder.

Unless a contract holder signs this Rider he may be denied these privileges, for what the Home Office offered to the exhibitors through an announcement in the trade papers is not legally binding.

The present system should be discarded, and in its place installed the unit system, placing producer, director, star and (whenever possible) writer on a sharing basis, with a minimum advance pay.

(b) Choosing cheerful subjects for production. Stories that tend to depress should be placed on the "taboo" list.

(c) Discarding the present selling system, in its place adopting a system that will make it possible for each exhibitor to choose the pictures that will best suit the people of his community; it is only thus that each picture could bring in the highest returns possible, not only for the exhibitors but also for the producer.

(d) Adopting liberal reforms. These should include: (1) Fair zoning and clearance to the end that there could be a quick turnover of pictures; (2) a curb on overbuying; (3) furnishing every bona fide theatre with film service; (4) in cases where the exhibitor desires to buy pictures in advance, furnishing him with a true description of the story; (5) putting an end to discrimination between circuit and individual theatres, by making the sale of pictures to one theatre not dependent upon the sale of the same pictures in another theatre, whether both theatres are located in the same zone or in two different zones; (6) establishing fair and equitable arbitration.

(e) By compelling those producers who own theatres in small communities, either in small towns or in the neighborhoods of big cities, to dispose of them to independent operators.

These are bold and radical reforms, but the present depression is, as said, an entirely different depression, and requires entirely different measures to combat it.

Will the major producers recognize the danger to the industry as a whole and volunteer to divest themselves of some of their vested rights to the benefit of all, including themselves? If they have not yet seen the handwriting on the wall, it is regrettable, for bankruptcy of the entire industry will be the result.

BRITISH EXHIBITOR ASSOCIATION AGAINST STIFF "WIND" TERMS

The Cinematograph Exhibitors' Association of Great Britain has been conducting a war against the stiff rental terms demanded by MGM in that country for "Gone With the Wind." The fight has been so hard that the question was taken up even in the House of Commons.

The mail last week brought news that a fight against the harsh terms of this picture has been carried on in Australia, where Motion Picture Exhibitors Association has advised its members not to buy it unless they obtained it at reasonable rental terms.

The Australian association is carrying on a fight also against "Pinocchio." This is, indeed, surprising, because in this country the rental terms for this picture are fair. They are, in fact, so fair that it behooves every exhibitor to play this picture for as long a play-time as possible; for by so doing they will help Mr. Disney continue to produce this sort of pictures to the benefit of the industry as a whole. Pictures such as "Pinocchio" and "Snow White" do honor to the business and help draw to the theatres persons who had not been setting foot into picture theatres.

"Pinocchio" is as fine a production of this type as one wishes Mr. Disney to produce. The color work makes most of the scenes look like paintings of the most artistic kind, and the movement is so

smooth that the cartoon actors appear as if walking like regular human beings.

Mr. Disney deserves every exhibitor's support for his daring.

PICTURES NOW IN PRODUCTION

Columbia

"HE STAYED FOR BREAKFAST," with Loretta Young, Melvyn Douglas, Eugene Palette, Alan Marshall and others, produced by B. P. Schulberg, and directed by Alexander Hall. Fairly good to good, so far as star values are concerned. For greater box-office values, the picture will have to depend on strength of story, little of which is known.

"FIVE LITTLE PEPPERS AT SCHOOL," Double-feature program.

RKO (Radio) Pictures

"MEN AGAINST THE SKY," with Richard Dix, Wendy Barrie, Edmund Lowe, Kent Taylor and others, produced by Howard Benedict and directed by Les Goodwins. Program.

"ONE CROWDED NIGHT," with Billie Seward and others, produced by Cliff Reid. Double-bill program.

Twentieth Century-Fox

"GHOST OF THE CISCO KID," with Cesar Romero. Double-bill program.

Universal

"WHEN THE DALTONS RODE," with Kay Francis, Randolph Scott, Brian Donlevy, Robert Stack and Andy Devine, directed by George Marshall. Although Kay Francis has lost her box-office power because of a series of bad stories that had been given her for a number of years, she still has a considerable following, and, with whatever box office strength Randolph Scott and Andy Devine possess, the picture ought to draw fairly good to good crowds.

Warner-First National

"THE LETTER," with Bette Davis, Herbert Marshall and others, produced by Robert Lord, and directed by William Wyler. This Somerset Maugham play was produced once before, in 1929, by Paramount, with Jean Eagles, who took the same part in the stage play. It turned out a powerfully dramatic picture, but not of the cheerful kind. Because it was the beginning of sound and it was produced as an all-talking picture, it did good but not extraordinary business. It is a subject dealing with murder and blackmail: the heroine had murdered her paramour and pleaded that she had killed him to protect her honor. But a letter that had been sent by her to the dead man would prove different and it was necessary for her to take it away from the dead man's Chinese servant. The Chinese woman demands \$10,000, delivered to her by the heroine in person. The lawyer carries on the negotiations and arranges for the meeting. The Chinese woman humiliates her for a past grievance and, after receiving the money, delivers the letter. The secret becomes known to the husband when he is called upon to pay the \$10,000 blackmail money. The husband tells the heroine that he would not dismiss her but would keep her to be reminded of her infidelity. The heroine accepts to stay, so that he might be reminded that she loved the dead man.

Miss Davis is, of course, a popular actress, but even though no one doubts that she will do to the part as much credit as Jeanne Eagles had done to it, its box-office possibilities will be known better at the picture's first opening.

HARRISON'S REPORTS

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Room 1812

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SATURDAY, JUNE 15, 1940

No. 24

WHICH OF THE TWO ASSUMPTIONS IS CORRECT, MR. Raftery?

Addressing the court at the opening of the trial in the case brought by the U. S. government against the major companies, Mr. Edward C. Raftery, attorney for United Artists, said also the following:

"Mr. Williams [Paul Williams, trial attorney for the U. S. Government] mentioned something that comes back vividly to me, as I participated in it, and that was this Fair Trade Practice Conference in 1927. It was held up in the main auditorium at the Bar Association. It was held under the auspices of the Federal Trade Commission. He mentioned the name of a man that presided at it named Abraham Meyers [Abram F. Myers]. That convention, that Trade Practice Conference, was supposed to have been called so that everybody in the industry, who had a grievance of any kind could go and air that grievance and get some relief. I remember the way they lined up the hall; on one side they had the public and they had representatives of all the different churches, and then they had so-called independent exhibitors, and then they had producers, and then they had distributors—all in this conference. Well, it was very evident after the Conference started what was in the minds not only of the presiding officer, but also in the minds of the exhibitor group. People broke up into various conferences with ideas formulating fair trade practice rules.

"Nobody paid any attention to that except one. 'We want to get pictures cheaper. We think you are getting too much for your product. We don't like block booking. We want selectivity.' . . .

"However, to get back to that Trade Practice Conference: These cliques from various parts of the country started in 1927 to organize what culminated in this lawsuit. Since 1927 this industry has been deluged with lawsuits, with legislation, and it has all come primarily from this minority group who were at this Trade Practice Conference. The man who presided at that Trade Practice Conference, a member of the Federal Trade Commission, resigned. We were hardly out of the conference room when he resigned to become head of this group of exhibitors called 'Allied Exhibitors,' and he has continued on that job ever since. He has been the active enemy of the best interests of this industry since the day he walked out of that Trade Practice Conference. . . ."

Putting Mr. Raftery's statement into a few words, he implies that, immediately after the Trade Practice Conferences of this industry in October, 1927, Mr. Myers became the head of the Allied States Association; that, during the time he was presiding at those conferences, his mind was upon obtaining the leadership of the Allied States Association, and that, ever since he became the leader of this exhibitor group, he has caused a deluge of lawsuits, culminating in the present lawsuit.

In view of the fact that I have been the closest supporter of Allied and have had a most intimate knowledge of Allied's activities, I take it upon myself to correct Mr. Raftery on his unfortunate misinformation. Mr. Myers did not become head of the Allied organization until January 15, 1929, fully fourteen months after the Trade Practice Conferences disbanded, and, during that period of time, Mr. Myers had at no time knowledge of any desire on the part of the Allied leaders to make him head of their organization; nor had he expressed any desire to obtain such an office.

To convince Mr. Raftery how unjust and unfair he is, and how unwarranted are his remarks about Mr. Myers, let me say to him that Allied was born out of the ashes of M.P.T.O.A. At the annual convention of M.P.T.O.A., held in Washington, D. C., in the spring of 1922, the ranks of the organization were split as a result of an internal fight.

After the split, some of the leaders remained in the ranks with the hope of rescuing the organization from producer control. Among these leaders was W. A. ("Al") Steffes.

After an effort lasting more than six years, these leaders had come to realize that there was no hope of rescuing the organization, and decided to step out and to form Allied States Association.

It was about November, 1928, fully one year after the Trade Practice Conferences were held, that Mr. Steffes passed through New York City and went to Washington to approach Mr. Myers to offer him the leadership of the organization that was to be formed.

After negotiations lasting about two months, Mr. Myers accepted the offer.

Mr. Raftery should know that, during the Trade Practice Conferences, there was in existence no Allied States Association, and Mr. Myers had no idea whatever, as said, that he was to be asked to become the leader of an exhibitor association. What prompted Mr. Steffes and the other dis-sident leaders to approach Mr. Myers was the impression for fairness he had created during the time he presided at the Conferences. They had seen how fair he was to every one present.

As to Mr. Raftery's implied accusation that Mr. Myers has caused the industry to be deluged with lawsuits, I take it upon myself to say that, this is as true as is the accusation that Mr. Myers had his eye upon the exhibitor leadership during the time that he, as the representative of the U. S. Government, was presiding over the conferences.

Mr. Raftery should understand that Mr. Myers was engaged by the exhibitors to do a job for them, and they believe that he has done that job honestly and conscientiously. What would United Artists say if he, that is, Mr. Raftery, failed to do his work for the company with the same conscientiousness, the same zeal, as that which Mr. Myers has shown in the protection of the exhibitor interests? Are he and other producer representatives justified in condemning Mr. Myers for being true to his trust?

Mr. Raftery said that, at the Trade Practice Conferences, "nobody paid any attention to that [to the formulating of fair trade practice rules] except one. 'We want to get pictures cheaper. We think you are getting too much for your product. . . .'

Since Mr. Raftery was present at those conferences, it is manifest that his memory has failed him, for the Conferences were called not to discuss film prices, but to eradicate unfair trade practices, which were resorted to in violation of the Sherman and the Clayton acts. The elimination of certain of the abuses were agreed upon, but no sooner the conferences broke up than the producers forgot all about their promises.

The present suit, Mr. Raftery, has been the result of the total disregard by the producers of those promises! The first effect of that disregard was their conviction as violators of the law in October, 1929, by Judge Thacher, then District judge for the Southern District of New York, presently employed by Paramount as one of its counsel. By his decision, Judge Thacher declared Paramount and the

(Continued on last page)

"Four Sons" with Don Ameche

(20th Century-Fox, June 14; 88 min.)

Extremely depressing, and since it deals with conditions with which almost every person is familiar it is unlikely that it will be liked by many. The Fox Film Corporation, predecessor of Twentieth Century-Fox, produced a picture with the same title once before, in 1931—it was founded on the novel by I. A. R. Wylie; but the present version, even though the publicity matter says that it was suggested by the same story, has almost no resemblance to it, except that it deals with four sons and a mother. In the old version, they were a German family, and presented the German side of the World War—that a German mother had suffered as much by the loss of her sons in the war as did any other mother. In the present version, the family is made Czechoslovaks, a sort of makeshift treatment. The picture is so harrowing that it can in no way be classed as entertainment. The story idea is unpleasant, for it pits a brother against a brother:—

The story unfolds in a town in the Sudetenland, and deals with Eugenie Leontovitch and her four sons, Don Ameche, Robert Lowery, Alan Curtis and George Ernest. Lowery's dream of going to America comes true unexpectedly. Don Ameche is shocked when Alan informs him that he had joined a German Social Club; he could not understand how a Czechoslovak could become a Nazi, but Alan insisted that he was working for the good of the fatherland. Both Don and Alan love Mary Beth Hughes, but Mary eventually chooses Alan; they marry. During the marriage celebration, a message is sent to Alan and he is compelled to leave the bride alone; he had gone to rescue a Nazi who had fallen into the hands of the Czechoslovak police. He returns wounded and reveals to his wife that he was working for the overthrow of the Republic through an underground movement. Because of the increase in tension, the Czech reserves, including Don and Alan, are called to the colors. Under a pretext, Alan returns to the house and, donning a civilian suit, escapes and joins the storm troopers while Don marches off with the troops. A few days later Don returns, heartsick, because of the ceding of the Sudetenland to Germany. At the same time Alan returns in a storm trooper's uniform, an officer. Bad blood is created between the two brothers. When Alan informs Don that he had caused his name to be taken off the list of proscribed Czechs, Don rushes to inform his proscribed friends of their fate. He finds the Burgomaster dead—assassinated by the storm troopers. Just then another squad of Nazis arrive and shoot and wound him; he escapes into the woods, but they go after him. As he was about to be overtaken by one of them, he shoots and wounds him mortally; it was his own brother Alan. Don returns home and a few minutes later storm troopers arrive with the dying Alan. Mary guesses that it had been Don who had shot her husband and, when he dies, she vows to give Don away to the storm troopers. Don tries to escape, but the storm troopers shoot and kill him. George Ernest, the youngest brother, is taken into the German army and sent to Poland. Soon word is received that he, too, had been killed. The mother then leaves for America to join her remaining son.

The screen play is by John Howard Lawson; the direction, by Archie Mayo. Harry Joe Brown produced it.

Since no sex situations are involved, the picture is Class A; but as entertainment it is Class C.

"Babies for Sale" with Rochelle Hudson and Glenn Ford

(Columbia, May 16; time, 64 min.)

Even though this program melodrama deals with racketeering, it differs from most pictures of that type, for it has human appeal. For that reason it should appeal to women as well as to men. Although the manner in which the plot unfolds is routine, the subject matter is somewhat new; it holds one's interest pretty well. Moreover, one is in sympathy with the heroine,

whose unhappiness at having lost her child touches one. The closing scenes, during which the heroine traces the whereabouts of her child, hold one in suspense:—

Having been left with very little money when her husband died, Rochelle Hudson, an expectant mother, registers at a home that cared for cases of her kind. She gives Miles Mander, the head of the home, all the money she had and agrees to work at the place for her board. Unknown to her, Mander ran a racket in which he forced the girls without husbands to give up their babies; he would then offer the babies to wealthy couples for adoption and would obtain large sums of money for them. Glenn Ford, a young newspaper reporter, who had started an investigation into the racket and had printed a story about it without mentioning names, suspects Mander. Ford manages to get into the home, presumably for an interview; he notices Miss Hudson. When Miss Hudson's baby is born, Isabel Jewell, another patient, steals a copy of the baby's footprints and gives them to Miss Hudson. When she is told by Mander that her baby had died, Miss Hudson is heartbroken; yet she does not believe him. She feels certain that he had given the baby away. Miss Jewell helps her to escape. As she was leaving the home, Ford approaches her and promises to help her find her baby. They finally trace the baby to the home of a wealthy couple; by comparing footprints, they prove that the baby was Miss Hudson's. Although the wealthy couple loved the baby, they give her up to Miss Hudson. They then work with the police and trap Mander. Miss Hudson and Ford become friends.

Robert Chapin and Joseph Carole wrote the story, and Robert D. Andrews, the screen play; Charles Barton directed it, and Ralph Cohn produced it. In the cast are Joseph Stephani, Georgia Caine, Eva Hyde, and others.

Not for children. Suitable for adolescents and adults. Class B.

"Love, Honor and Oh Baby" with Donald Woods, Kathryn Adams and Wallace Ford

(Universal, June 7; time, 59 min.)

A mildly entertaining program picture; it combines melodrama with comedy and romance. The story is far-fetched and somewhat unpleasant, for it revolves around a gang who murder for profit. The idea was probably based on the recent exposures relating to the murder ring, but it has been handled in an amateurish way. All that can be said for it is that the action is fast-moving; for this reason it may please audiences that crave action rather than story values:—

Donald Woods, despondent because of a blasted romance, contacts a member of a murder organization, for the purpose of having them kill him, so that his sister might collect \$50,000 on his life insurance policy, which contained a clause voiding the policy in case of suicide. But before the job is done, Woods meets Kathryn Adams and falls in love with her. While defending her from the unwanted attentions of a young man, he is struck on the head and loses his memory; he marries Miss Adams. But when he regains his memory, he realizes that he was in a predicament since he did not want to die. He tries to reach the head of the murder ring, who, incidentally, was wanted by the police, to call a halt to the agreement. He is blackmailed by Mona Barrie, the supposed girl friend of the leader. But it develops that Miss Barrie herself was the notorious leader. She is caught by the police, and the gang is broken up. With the threat of death lifted from his shoulders, Woods looks forward to a happy married life.

Elizabeth Troy wrote the story, and Clarence Y. Young, the screen play; Charles Lamont directed it. In the cast are Warren Hymer, Marc Lawrence, Hobart Cavanaugh, Eddy Waller, and others.

Not for children. Suitable for adolescents and adults. Class B.

"Lucky Cisco Kid" with Cesar Romero, Chris Pin Martin and Mary Beth Hughes

(20th Century-Fox, June 28; time, 68 min.)

Based on a typical western plot, this latest "Cisco Kid" picture is fair program entertainment, suitable for the action loving fans; it has plentiful shooting, fast riding, and fights. As far as the story is concerned, however, it is strictly formula, offering nothing new in the way of ideas or plot development. Cesar Romero, in the title role, gives his customary performance, handling both the melodramatic and romantic situations capably:—

Romero arrives at a small western town and learns, to his surprise, that he was wanted for many crimes of which he was not guilty. Realizing that some one was using his name in order to cover up his own tracks, Romero decides to stay around the town and find the guilty man. He and his partner offer to stay at the ranch owned by Evelyn Venable, a widow, who was having trouble with a gang of criminals, who were trying to force her off her land; they wanted it because of its valuable water rights. Through Mary Beth Hughes, an entertainer in a saloon, Romero finally learns the identity of the man who was using his name. He traps the man (Joseph Sawyer) and brings to light the fact that Willard Robertson, the supposedly honest town judge, had been working hand in hand with the villain in order to do the ranchers out of their land. The villagers take both Sawyer and Robertson away for hanging. Romero collects a \$5,000 reward that had been offered for the villain's capture, but instructs his pal to turn it over to Miss Hughes; he did this knowing that Miss Hughes would use her influence with her sweetheart, a government trooper, in permitting him to leave town. While on their way to another town, Romero is surprised when his pal tells him that he had turned over to Miss Hughes only one-half of the reward money, keeping the other half for himself.

Julian Johnson wrote the story, and Robert Ellis and Helen Logan, the screen play; H. Bruce Humberstone directed it, and Sol M. Wurtzel produced it. In the cast are John Sheffield, William Royle, Dana Andrews, and others.

Suitability, Class A.

"Island of Doomed Men" with Peter Lorre, Robert Wilcox and Rochelle Hudson

(Columbia, May 20; time, 67 min.)

An ordinary program melodrama. The plot is routine, the surroundings sordid, and the action slow-moving. Its appeal will be directed mostly to men, for it is doubtful whether women will enjoy the cruelty, beatings, and misery suffered by the men on an island dominated by the villain. The story, which is pretty fantastic, is developed according to formula—the spectator guesses the ending. An attempt at a romance doesn't help matters much:—

Robert Wilcox, a member of the U. S. Secret Service, is given instructions to meet the man (Addison Richards) he was to work with. Richards confers with him about a case involving Peter Lorre, who owned an island where paroled men were taken and made to work as slaves. Richards is shot dead through a window leading to a fire-escape. The murderer throws the gun into the room. Wilcox picks it up to fire after him. The police enter and arrest him. Since he could not divulge his identity, he is held for the murder and is sentenced to twenty years imprisonment. But Lorre, who knew Wilcox and Richards, takes matters into his own hands. Lorre owned an island where he took paroled convicts, promising prison authorities to give the men a chance. But once they arrive on the island they are treated as slaves, and are made to work until they drop; there is no way of escape. Wilcox is among the men taken to the island. Lorre tries to beat information out of him, but Wilcox refuses to talk. Lorre's wife (Rochelle Hudson), who was actually a prisoner on the island and who hated her husband, tries to help Wilcox but Lorre puts a stop to it. Wilcox talks the prisoners and guards

into revolting; but Lorre, who suspected what was happening, is ready for them. He is about to kill Wilcox when his house servant (George E. Stone) stabs him; Lorre dies. With the information he needed, Wilcox returns to Washington; Miss Hudson goes with him.

Robert D. Andrews wrote the original screen play, Charles Barton directed it. In the cast are Don Beddoe, Kenneth MacDonald, Charles Middleton, and others.

Not for children. Suitable for adolescents and adults. Class B.

"Susan and God" with Joan Crawford and Fredric March

(MGM, June 7; time, 116 min.)

A sophisticated society comedy-drama. Produced on a lavish scale, and acted artistically by the stars as well as the supporting cast, it offers entertainment that will be enjoyed highly by class audiences. The star names will probably draw the masses in as well. The story unfolds largely by talk. The heroine is a frivolous, selfish woman, who had taken to religion as a fad. One feels little sympathy for her. But there are a few situations that stir one's emotions, because of the deep sympathy one feels for the hero and his child. Exhibitors catering to strongly religious patrons may find that it offends their customers, for it treats on religion in a rather frivolous manner:—

Joan Crawford, a rather shallow society woman, married to Fredric March, returns from Europe filled with a desire to preach the new religion she had found. Being extremely selfish, she does not even wait to see her husband or her daughter (Rita Quigley), who both adored her, but rushes to the home of her best friend (Rose Hobart) to start preaching to her friends God. Her preaching, not only irks her friends, but tends to break up two romances. Miss Hobart, unable to control her temper any longer, berates Miss Crawford for neglecting her own family—her husband had taken to drink, and her child was heartbroken because of loneliness. March arrives intoxicated; after listening to Miss Crawford's "sermon," he takes seriously her talk about a person's rebirth. He makes a bargain with her:—if she would open their country home and live with him and their child for the whole summer, he would rehabilitate himself; and, if he slipped even once, he would give her a divorce. The summer passes pleasantly for all. But at the end of it, Miss Crawford signifies her intention of proceeding with her "career" rather than remaining with her husband. This so infuriates March, that he goes off on a drunken spree and ends up in a small hotel up-state with Ruth Hussey, a young society girl who loved him. She promises to marry him once he received his divorce. March's absence for the night suddenly makes Miss Crawford realize her love for him and for their child. When he returns, she pleads with him for another chance; they are reconciled.

The plot was adapted from the play by Rachel Crothers; Anita Loos wrote the screen play. George Cukor directed it, and Hunt Stromberg produced it. In the cast are John Carroll, Rita Hayworth, Bruce Cabot, and others.

Not for children. Suitable for adolescents and adults. Class B.

PICTURES NOW IN PRODUCTION
Universal

"THE MUMMY'S HAND," with Dick Foran, Peggy Moran, Wallace Ford, Tom Tyler, and others, produced by Ben Pivar and directed by Christy Cabanne. Program.

"MARCIE," with Constance Moore and Mischa Auer. Program.

Warner-First National

"CITY OF CONQUEST," with James Cagney. From very good to excellent.

"MONEY AND THE WOMAN," with Jeffrey Lynn, Brenda Marshall, Lee Patrick, John Litel, Roger Pryor and Henry O'Neil, produced by William Jacobs and directed by William K. Howard. This is, no doubt, another good domestic drama so far as quality goes.

other major companies guilty of having violated the Sherman Act in the Arbitration case; and, in the Credit Committees case, he found them "not guilty," but the U. S. Supreme Court reversed him, and found them guilty as charged.

Need I, Mr. Raftery, mention all the cases in which the major companies have been found guilty of having violated the Anti-Trust laws? I hardly think it is necessary, for you know every case yourself.

But what has Mr. Myers to do with whether the major companies, in the present case, have violated the law, as the Government charges, or have not violated it, as they assert? The outcome of this suit will depend, not on what Mr. Myers has said or done, but on the facts that will be presented to the court and on their relation and significance to the acts of the defendants.

Since the producers' lawyers have resorted to irrelevant matters and to attempts to besmirch the character of men who are doing their duty toward those who have engaged them for the purpose, there are only two inferences that may be drawn: either the producer defense is weak, or the lawyers, by stirring up personal animosities, are trying to smash the attempts to bring peace in the industry. Which is it, Mr Raftery?

AN AMAZING REVELATION!

In the editorial that was headed, "What Zanuck Said and What He Should Do," which appeared in last week's issue, I said: "Were the exhibitors to raise the prices of admission as a matter of permanent policy, the attendance would be reduced by fifty per cent overnight."

At the A.M.P.A. luncheon on Thursday, last week, Mr. Spyros Skouras, head of National Theatres, guest of that organization, made a revelation so astounding that I have been compelled to alter my views regarding the raising of the admission prices. Mr. Skouras said that, in 1932, there were at least 2,500 theatres charging fifty cents or more admission, whereas now there are only 240 theatres charging more than forty cents. The reason for it has been the admission tax: when the ticket exemption was lowered to forty cents, he said, all those exhibitors who were charging fifty cents admission went to forty cents rather than charge fifty-five cents and pay the government the five cents in taxes.

And what was the result upon the subsequent run exhibitors, mostly independents? They had to lower their admission prices, even though they were not affected by the tax, to meet the competition.

After making this revelation, he pleaded for an increase of admissions. He said that, if the big theatres will go at least to fifty cents, the subsequent runs will be prompted to add five cents to the price they now charge. Such an increase will benefit, not only the producers, but also the exhibitors. The producers, he said, must have additional revenue to offset the loss of income from the European market to enable them to produce pictures; otherwise, some of them will find it difficult to keep going.

Because of this revelation, HARRISON'S REPORTS feels that a nominal increase of the admission prices is necessary to give the producer additional revenue without charging the exhibitor higher percentages. The only observation that it wishes to make is this: If the exhibitors should resort to an increase of the admission prices so as to help the producers, what are the producers going to do to help the exhibitors and themselves? There is only one thing they can do—make better pictures. And to make such pictures it is necessary for them to give up producing re-makes, and to select better story material. They are not asked something that they cannot do.

NEELY BILL HOSTILE WITNESSES WHOM ABRAM MYERS EXPOSED

In his rebuttal on the hearings of the Neely Bill, Mr. Abram F. Myers, counsel for Allied States Association, exposed to the Committee the motives of some of the witnesses that testified against the Neely Bill.

Roy Walker, the master propagandist, Mr. Myers said, did not tell the Committee that, in certain Texas towns, he is partner of the Griffith Circuit, against which the Govern-

ment had filed suit under the Sherman Act. Among the Government's charges is one to the effect that the Griffith circuit and its partners collectively contracted with each of the defendant distributors and that, by means of the contracts had combined with each other to compel each of the defendant distributors to grant to them in all said towns the exclusive privilege of selecting only such features as they deemed suitable for exhibition in their town, before such pictures were released to any other exhibitor in those towns; and of receiving clearance on said feature pictures over competing theatres in said towns.

Since Walker, because of his partnership with a powerful theatre circuit, enjoys exclusively the privileges that the Neely Bill aims to confer to all exhibitors alike, why should he not be opposed to the Neely Bill? He certainly would hate to see any other exhibitor enjoy the same privileges.

Why shouldn't Harry Brandt, the New York circuit exhibitor and so-called president of I.T.O.A. of this city fight the Neely Bill? To begin with, he own Film Alliance of the United States, with Major Thompson, of RKO. Then he owns Times Pictures, a local film exchange. And now he has made a deal with RKO to produce two pictures with Charles Boyer.

Mr. Abram F. Myers said the following about Brandt:

"This witness, while admitting that he handled some French and English pictures, proclaimed his sturdy independence and in reply to a direct question said that he had no connection with any producer or distributor. On the very morning that he testified, May 24, the New York Times announced that Harry Brandt was engaged with Charles Boyer and others in the production of pictures to be released by RKO. . . .

"*Film Daily* for March 13, 1940, announced that Brandt had acquired the franchise . . . for the Fine Arts brand of pictures. . . .

"Nicholas M. Schenck, president of Loew's, Inc., recently testified that he had a 15% interest in two theatres, one of which was operated by Brandt. . . .

"Finally, Brandt used to be a vigorous opponent of compulsory block booking. Herewith is an excerpt from a statement by Brandt before the National Recovery Review Board (the so-called Darrow Board) appointed by the President to hear complaints against the N.R.A. codes. Brandt opposed the motion picture code for the reason, among others, that it did not abolish block booking. He spoke on April 4, 1934. The excerpt is taken from pages 375-376 of the official report of the hearing. (Attachment N.)"

Perhaps Harry Brandt was not, at that time, a distributor; and since now he is one, he naturally opposes the Neely Bill, because he wants the exhibitors to buy his pictures in a block instead of singly.

What surprises me is this: how can Brandt expect the exhibitors to buy his pictures when he sides in with the distributors in a matter that means the life and death of every independent exhibitor's business?

Besides being surprised, I wonder how a person who has had neither dramatic training nor production experience can dare undertake to produce pictures! It is one of the peculiarities of this business. And this is the reason why you get so many poor pictures.

PICTURES NOW IN PRODUCTION

Columbia

"THE PINTO KID," with Charles Starrett. Program western.

"MARCH OF CRIME," with Bruce Bennett, Florence Rice, Barton MacLane and others. Double-bill.

Paramount

"THE NEW YORKERS," with Dick Powell and Ellen Drew, produced by Paul Jones, and directed by Preston Sturges. Fair to fairly good.

Twentieth Century-Fox

"THE GREAT PROFILE," with John Barrymore, John Payne, Gregory Ratoff, Mary Beth Hughes, Anne Baxter, and Willie Fung, produced by Raymond Griffith and directed by Walter Lang. Its box office value will depend largely on Mr. Barrymore's popularity.

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SATURDAY, JUNE 22, 1940

No. 25

LAWSUITS COSTLY BUT HERE IS A COSTLIER ITEM

"The great cost that burdens this industry," says Billy Wilkerson in the June 3 issue of his *Hollywood Reporter*, "is NOT the salaries paid to the stars, the weekly paychecks to the writers or directors, the cost of building sets or the money paid to the large assemblage of production executives in the studios. All that expense is nickels and dimes to the money that is being dished out to attorneys.

"We have tradeviewed here at various times of the 105 or more suits each major company is defending and the money it is costing for that defense. The news columns of these pages informed you last week of the cost of the bankruptcy in the presentation of the figures on the RKO receivership, which were highlighted by the tremendous amounts paid to the legal lights.

"However, all other costs, legal and otherwise, will be dwarfed in the majors' defense of the Government's anti-trust suit...."

Billy Wilkerson is right when he says that the cost of stars, directors and writers is not the costliest item in the industry, and that it is the cost of defending the many lawsuits that is crushing the motion picture industry.

There is, however, one other cost item that Mr. Wilkerson has overlooked entirely; it is costlier than the other items combined. I have in mind the waste that is caused by the producing of pictures that are founded on stories which, to begin with, have not a Chinaman's chance, as the saying goes.

When you remonstrate with the producers for the poor stories they put into pictures, they reply: "No producer starts out with the intention of making poor pictures."

That is true, but how can they justify the production of such stories as "Cafe Hostess," "Music in My Heart," "Strange Cargo," "Lucky Night," "Bridal Suite," "Safari," "Typhoon," "French Without Tears," "Seventeen," "Light That Failed," "You Can't Fool Your Wife," "Beyond Tomorrow," "Isle of Destiny," "Four Sons," "Earthbound," "Lillian Russell," "I Was an Adventuress," "The Blue Bird," "Slightly Honorable," "Of Mice and Men," "House Across the Bay," "Over the Moon," "Green Hell," "Rio," "Tower of London," "Saturday's Children," "Tear Gas Squad," "King of the Lumberjacks," "Granny Get Your Gun," "A Child Is Born," and the several remakes that

the producers have been dishing out almost every week? Just figure out the millions that these pictures cost and you will realize the enormous waste. Some of them cost more than a million, and few of them cost less than \$300,000.

What justification can they give for producing these stories? Let me just show you what prediction was made of some of them in these columns:

"Lady of the Tropics": "It is doubtful whether a picture based on this story could make an entertaining picture. As for its box-office possibilities, not even Robert Taylor's popularity can help a poor picture much." (Issue of May 27, 1939.)

"Strange Cargo," (forecast in same issue as aforementioned, under the title, "Not Too Narrow, Not Too Deep"): "The book is powerful but the action is a mixture of revolting things and of religion."

"The Light That Failed" (issue of September 2): "... The material is such that it can make no more than a fairly good picture, good at the most, unless radical alterations in plot as well as characterizations are made. The hero arouses only commiseration."

"Earthbound" (commented on under "Pictures Now in Production," in the issue of February 17, 1940): "If the picture is to be founded on the same book, the picture will no doubt turn out as powerful as the Goldwyn picture, but, like the Goldwyn picture, it may not draw at the box office—most people do not want to have any dealings with afterlife in their entertainment." The studio altered the story considerably and it so ruined it that the picture turned out poor and, as predicted, it is a "flop."

"The Blue Bird" (commented on under "Pictures Now in Production," in the October 7, 1939, issue, under the heading, "Hopeless Remakes"): Addressing the producers, HARRISON'S REPORTS said: "Why not give Shirley Temple, and the exhibitors, a better chance? Why take the risk of a 'flop' at a time when none can afford it, least of all the producers?"

"Of Mice and Men": HARRISON'S REPORTS pleaded with Mr. Roach in an open letter published in the June 10, 1939, issue not to make it.

These are the remarks that were made on a few of the pictures of the foregoing list—enough to prove the point. And remember, gentlemen,

(Continued on last page)

"The Ghost Breakers" with Bob Hope and Paulette Goddard

(Paramount, June 21; running time, 85 min.)

One of the finest ghost stories that have been produced for some time. Some of the situations are chilling, but almost every one of them is thrilling. Almost every one of the old devices for producing thrilling-chilling effects have been employed—ghosts, trap doors, dead bodies rising from their caskets, weird music and the like. But, despite its chilling effects, the spectator is not left in a frightful mood; because of the "kidding" tone that pervades Bob Hope's acting, he is left in a cheerful frame of mind. Credit for such results is owed, not only to the director, but also to the screen-play writer and to whoever wrote the dialogue.

The story deals with the efforts of a young man to keep the heroine, an American girl, heiress to a Cuban castle, away from it on the ground that it was haunted, when in truth he had discovered a treasure in the castle's basement and wanted to take possession of it himself. The heroine defies ghosts and everything to go to the castle. But before getting there, the hero, a radio commentator, who had been running away from a gangster whom he had exposed, and who had become acquainted with the heroine by chance, goes to the castle first to investigate. With knees shaking but with a great determination he enters the castle to explore it. Frightful things happen while he and his side-kick are exploring every nook and corner. They even see a light issuing from a dead man's body rising from its casket. The heroine swims the sea to reach the castle. When she arrives she enters the castle and is frightened by strange sights. In the end, the hero catches the villain and compels him to confess that it was he who had been causing all the strange noises, and that he was doing that for the purpose of frightening away everybody so that he might not be molested in removing from the castle the treasure he had discovered in the basement.

The plot has been based on the play by Paul Dickey and Charles W. Goddard. Walter DeLeon wrote the screen play. It was produced by Arthur Hornblow, Jr., and directed by George Marshall. In the supporting cast are, Paul Lukas, Richard Carlson, Anthony Quinn, Willie Best, Pedro de Cordoba, Virginia Brissac and others.

Class A. (Many children, however, may be frightened.)

"The Mortal Storm" with Margaret Sullavan, James Stewart, Robert Young and Frank Morgan

(MGM, June 14; time, 100 min.)

This is the most powerful anti-Nazi picture yet produced. It excels in every department—that of acting, direction, production, and photography. But the story is extremely depressing, for it shows the degradation of man under the Nazi regime, and the suffering of decent people under the inhuman and fanatical rule of the Nazis; moreover, the ending is heart-rending, leaving one all choked up and in a despairing frame of mind. Even though one has read about the things that take place in the picture, they still have a powerful effect on one, because of the fact that the family around whom the action revolves is first presented as a loving, intelligent family, making their eventual break-up pitiful:—

Professor Roth (Frank Morgan), his wife (Irene Rich), daughter Freya (Margaret Sullavan), son (Gene Reynolds), and two step-sons Otto and Erich (Robert Stack and William T. Orr), live graciously in a beautiful and happy home. To the family circle is added Martin Breitner (James Stewart) and Fritz Marberg (Robert Young), who both loved Freya. She chooses Fritz. On Professor Roth's sixtieth birthday, he is honored by all his students, the faculty, and his family. During his birthday dinner party the news of Hitler's appointment comes to the family. This brings joy to Otto, Erich, and Fritz, loyal Hitler followers. They quarrel with Martin, who refuses to share their joy. In a short time, Freya, disgusted at Fritz's actions, breaks her engagement. She realizes then that she loved Martin. Otto and Erich leave home. Knowing that Professor Roth was non-Aryan, his students question him about the theory of Aryan race superiority and, when he answers them that such a theory was ridiculous, they leave the class. He is ousted from the university, and later is arrested and sent to a concentration camp, where he meets with death. Mrs. Roth, Freya, and Rudi leave for Austria, there to meet Martin, who had been living there, unable to return home because he had aided a liberal professor to escape arrest. At one of the stations, a Nazi

official finds in Freya's suitcase a manuscript written by her father. They force her to leave the train. She induces her mother and brother to continue the journey. The officials refuse to believe her story that she had no intention of publishing the manuscript. They destroy the papers and hold back her passport, making it impossible for her to leave. Her despair turns to joy when she learns that Stewart had risked his life to return, so as to help her escape. They start out over difficult snowy mountains for Austria. But they are waylaid by a Nazi patrol headed by Fritz; they had learned about the escape by beating a young housemaid into confessing. The soldiers fire at them; Freya is shot. She dies in Martin's arms. Although Fritz is hurt by her death he felt that he had to do it in line with his duty.

The plot was adapted from the novel by Phyllis Bottome. Claudine West, Andersen Ellis and George Froeschel wrote the screen play, and Frank Borzage directed it. In the cast are Bonita Granville, Maria Ouspenskaya, Russell Hicks, Esther Dale, Ward Bond, and others.

Suitability, Class A.

"All This and Heaven Too" with Bette Davis, Charles Boyer, Jeffrey Lynn and Barbara O'Neill

(First Nat'l, Rel. date not set; time, 2 hrs. and 22 min.)

A powerful drama, with a strong appeal for women. The production is lavish, and the direction and performances are of the highest order. Considering the popularity of the novel from which the plot was adapted, and the drawing power of Bette Davis and Charles Boyer, the picture should do excellent business. Whether it could stand up on a two-a-day basis, however, is a problem, for it is not as spectacular or exciting as "Gone With the Wind." The story is developed mostly by dialogue, and practically all the action is confined to one house. Moreover, the theme is a sad one, becoming more tragic as it develops. Yet as a human interest drama it exerts a powerful appeal because of the deep sympathy one feels for the heroine, and for the four children under her care. Although it is obvious that the hero and the heroine have a deep affection for each other, they do not declare their love. The action starts in the year 1849:—

Henriette Desportes (Bette Davis), who had just arrived in New York from Paris, starts her first day as French teacher at a girls' school with joy. But she senses antagonism on the part of the pupils, and realizes that they had found out about her past through old newspaper accounts. Cheered on by the head of the school and by Henry Martyn Field (Jeffrey Lynn), her best friend, who had obtained the teaching post for her, she decides to tell the pupils her story: In Paris, she had been engaged by the Duc (Charles Boyer) and Duchesse de Praslin (Barbara O'Neill) as governess for their four children. She had sensed immediately that something was wrong. The Duc insisted that she was to have complete charge of the children, even to the exclusion of their mother. Henriette's devotion to the children and their love for her infuriated the Duchesse, who was highly neurotic; but when she noticed how much time the Duc spent with the children she became uncontrollable, accusing him of carrying on an affair with Henriette. She knew that the Duc did not love her any more even though she idolized him. Henriette was finally forced to resign, even though she knew that her presence in the house was the only comfort that the Duc and the children had. The Duchesse promised to send her a letter of recommendation, but failed to do so, making it impossible for Henriette to obtain another position. After Henriette had suffered months of privation, the Duc learned about his wife's cruelty. Confronting the Duchesse, he demanded the letter, but she taunted him. Unable to control himself, he had killed her. Both he and Henriette were arrested. Before he could be tried he took poison and died. Henriette was released. Mr. Field, her good friend, had obtained the teaching post for her in America. Before leaving, she had paid a visit to the Duc's grave; she knew that he had loved her. When she finishes her story, the pupils rush up to her, crying and begging for forgiveness.

The plot was adapted from the novel by Rachel Field; Casey Robinson wrote the screen play, Anatole Litvak directed it, and Hal Wallis produced it. In the cast are Helen Westley, Walter Hampden, Henry Daniell, Harry Davenport, George Coulouris, Montagu Love, Fritz Lieber, and others.

Suitability, Class A.

**"Gambling on the High Seas" with
Jane Wyman, Wayne Morris and
Gilbert Roland**

(*Warner Bros., June 22; time, 54 min.*)

An ordinary program melodrama. The story offers little that is new, but, since the action is kept moving at a pretty fast pace, it may hold the attention of average audiences to some degree. The production is typical of that given to secondary program features; and in other respects, such as acting and direction, it is just fair. There is a mild romance:

The District Attorney knows that the gambling ship owned by Gilbert Roland was run with crooked machines; but, since the ship was anchored outside the three mile limit, he did not have the jurisdiction to make a raid. Wayne Morris, a newspaper reporter, who knew Roland well, suggests a way by which Roland could be trapped. With the help of Roland's secretary (Jane Wyman), Morris takes photographs of the hidden devices that controlled the different machines. With these photographs in his possession, the District Attorney proceeds with the ease, his intention being to use Miss Wyman as his witness. But Roland's men kidnap Miss Wyman and keep her aboard the ship. Without her testimony, the State's case fails and the case is dismissed. Morris goes aboard the ship to save Miss Wyman. Roland's men put him and Miss Wyman in a speed boat so as to take them to a ship bound for South America. But the police, who had been instructed to help Morris, give chase and stop the boat, and save them. The case is then reinstated and, on Miss Wyman's testimony, Roland and his men are convicted. Morris and Miss Wyman marry.

Martin Mooney wrote the story, and Robert E. Kent, the screen play; George Amy directed it. In the cast are John Litel, Roger Pryor, Frank Wilcox, and others.

Not for children. Suitable for adolescents and adults. Class B.

**"The Refugee" with John Wayne,
Sigrid Gurie and Charles Coburn**

(*Republic, July 3; time, 78 min.*)

Good entertainment. The story is simple, but it has deep human interest and an appealing romance. This, coupled with the fact that the direction and acting are good, makes it suitable for all types of audiences. Although the story revolves around two refugees from Europe, the action is not depressing; as a matter of fact the whole picture has an encouraging note, for it shows that, with perseverance and energy, men and women in a free country can overcome hardships and emerge victorious. All the leading characters win one's sympathy. And the romance is culminated in a manner to please the masses:-

During a broadcast of a program called "We the People," the director brings to the attention of his listeners the plight of refugee doctors who were eager to make a place for themselves in America, not in cities but in remote centers where their services were needed. One of the doctors introduced is Charles Coburn, a famous surgeon, who, with his daughter (Sigrid Gurie), had escaped from Vienna during the Nazi invasion. Coburn receives a telegram and railroad tickets for himself and Miss Gurie from John Wayne, who offered him work in North Dakota. They are shocked when they arrive to find themselves in the midst of the dust bowl territory. Coburn does what he can for the stricken populace, but because of his daughter, insists that he could not remain in such a place. He becomes interested, however, in the case of a young crippled boy and stays on to operate on him; by that time both he and Miss Gurie become attached to the folk and agree to stay. Miss Gurie and Wayne fall in love with each other and plan to marry. But her father receives a cablegram advising him that Miss Gurie's former fiance, who, they thought, had been killed in action, was alive. Feeling duty-bound to wed her former fiance, since he had risked his life to help them escape, Miss Gurie breaks with Wayne. In the meantime, conditions become worse, and Wayne leads a group of men with their families to new land in Oregon. Miss Gurie and her father go to San Francisco to meet her fiance; but they are shocked when they visit him, for he was a changed man, a Nazi enthusiast. They break with him and go back to their friends in Oregon. Miss Gurie and Wayne marry.

F. Hugh Herbert, Joseph Moncure March, and Samuel Ornitz wrote the original screen play; Bernard Vorhaus directed it, and Sol C. Siegel produced it. In the cast are Spencer Charters, Helen MacKellar, Wade Boteler, and others.

Suitability, Class A.

"Safari" with Madeleine Carroll, Douglas Fairbanks, Jr., and Lynne Overman

(*Paramount, June 14; time, 80 min.*)

The slow action, familiar plot, and trite dialogue definitely stamp this picture as inadequate entertainment for the masses. The story is based on the formula romantic triangle idea, only that this time it has been given a jungle setting. Not only is the romance developed in a somewhat listless style, but even the jungle sequences fail to arouse much excitement; that is, with the exception of one scene in which the hero is endangered by a wounded lion. The hero is an agreeable character, but the heroine wins little sympathy, for she is selfish and is not regenerated until the end. The third party making up the triangle is an altogether despicable person—cruel and calculating. Lynne Overman, to a small degree, overcomes the handicap of poor material and wins one's sympathy, besides amusing one by his characterization:-

Tullio Carminati, a millionaire Baron, has as guests on his yacht Madeleine Carroll, his fiancee, and her friend (Muriel Angelus); they were accompanying him to Africa, where he planned to do some hunting. Miss Carroll and Miss Angelus decide to remain on the yacht while Carminati was hunting. But a chance meeting with Douglas Fairbanks, Jr., who was to head the safari, makes Miss Carroll change her mind; she joins them on the trip. Her idea was to pay attention to Fairbanks in an effort to make Carminati jealous so that he might propose marriage all the sooner. But Fairbanks sees through her plan and be-rates her for it; she is ashamed and apologizes. Carminati reveals his true character, and makes Miss Carroll despise him. He even tries to bring about Fairbanks' death, but Fairbanks is only wounded. It is then that Miss Carroll realizes that she loved Fairbanks. Fairbanks returns to town by plane and Carminati and Miss Carroll follow by boat. Miss Carroll breaks with Carminati and confesses her love for Fairbanks; they are united.

Paul Hervey Fox wrote the story, and Delmer Daves, the screen play; Edward H. Griffith directed it, and Anthony Veiller produced it. In the cast are Billy Gilbert, Thomas Louden, Clinton Rosemond, and others.

Not for children, even though there is no immorality in the story. Best suited for adolescents and adults. Class B.

**"Phantom Raiders" with Walter Pidgeon,
Joseph Schildkraut and Florence Rice**

(*MGM, May 31; time, 70 min.*)

Pretty good program entertainment. The melodramatic part of the story is far-fetched; yet the picture holds one's attention well because of the engaging performances, comic situations, and exciting action. The most amusing character is that portrayed by Donald Meek, a self-appointed assistant to the hero-detective; his attempts to solve the case in his own blundering way are the cause for much of the laughter, although at times he accidentally does assist the hero. Even though there is no mystery attached to the villain's identity or to the manner in which he carries out his nefarious schemes, it is interesting to watch the hero work out the clues. The constant danger to him holds one in suspense. There is a romance, but it is incidental:-

Walter Pidgeon, a well-known detective spending a vacation in Panama, receives a cablegram requesting him to start an investigation of the sinkings of the ships owned by a certain company. At first Pidgeon refuses to interrupt his vacation, but Meek, Pidgeon's self-appointed assistant, who had rushed down to Panama to induce Pidgeon to take the case, convinces him that he would be well paid for his trouble. Pidgeon, knowing of the criminal record of Joseph Schildkraut, owner of a cafe, feels certain that he was mixed up in the case in some way. He eventually proves that Schildkraut, who had come into control of the shipping company because of gambling debts owed to him by the owner, had taken out large insurance policies covering the cargoes. He had then filled the boats with straw instead of actual merchandise, and, by means of a powerful radio control that worked from his office to a radio set on each boat, had caused a bomb to explode, blowing up the ship and sinking it. He had then collected the insurance money. Schildkraut is arrested and his gang broken up. Pidgeon continues on his vacation.

Jonathan Latimer wrote the story, and William R. Lipman, the screen play; Jacques Tourneur directed it, and Frederick Stephani produced it. In the cast are Nat Pendleton, John Carroll, Steffii Duna, and others.

Not for children. Suitable for adolescents and adults. Class B.

*Released as

THREE FACES WEST

that these remarks were made from reading either the original works, or synopses of the stories obtained from the home offices—not from the finished script. How can any one say, then, that no producer starts out with the intention of making a poor picture?

Eliminating the poor stories will save the producers more money than they received from the foreign market. Remember that, when a picture is founded on a poor story, both the producer and the exhibitor lose money, not only from the diminished receipts that go with a poor picture, but also from the loss of profits that are natural to a good picture. The executive of a theatre-owning distributor once told me that the difference in a week's receipts between showing poor pictures and bad pictures amounted to around \$150,000. And this distributing company owned fewer than two hundred theatres. Imagine what the loss is to all the theatres in the country, affiliated as well as independent.

Preventing this double loss should put the industry on its feet, regardless of how much of the foreign market's income has been lost.

CONSENT DECREE?—YES!

By the time this issue reaches you, or shortly thereafter, the government suit against the major companies, now pending in the New York District Court, may have been settled, with the major companies agreeing to sign a consent decree.

The Allied board of directors met in Washington last week, going over details as to what the exhibitors should get out of this settlement, and what they should drop for the present. But it seems to this writer that much is to be gained from the settlement of this suit by the exhibitors, and peace will reign in the industry at a time when there should be peace in every industry so that the government may be free to attack other matters, far more important for the welfare of the nation.

It is possible that the settlement will be announced at the Allied convention, which is held this week in Chicago.

BOX-OFFICE PERFORMANCES

Columbia 1939-40

The previous box-office performances of Columbia pictures were published in the January 27 issue.

"Miracle on Main Street": Poor.
"Blondie Brings Up Baby": Good-Fair.
"The Amazing Mr. Williams": Fair.
"Cafe Hostess": Fair-Poor.
"Fugitive at Large": Poor.
"My Son Is Guilty": Poor.
"Music in My Heart": Fair-Poor.
"His Girl Friday": Very Good.
"The Lone Wolf Strikes": Fair.
"Convicted Woman": Poor.
"Five Little Peppers at Home": Fair.

"Blondie on a Budget": Good-Fair.
"Outside the 3 Mile Limit": Fair-Poor.
"Men Without Souls": Poor.
"Too Many Husbands": Good.
"The Man With Nine Lives": Fair.
"The Doctor Takes a Wife": Good.
"Twenty One Days Together": Fair.
"Babies For Sale": Fair-Poor.
"Island of Doomed Men": Poor.
"The Lone Wolf Meets a Lady": Fair.

Twenty-eight pictures have so far been released excluding seven westerns. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 1; Very Good, 1; Good, 2; Good-Fair, 2; Fair, 9; Fair-Poor, 6; Poor, 7.

PICTURES NOW IN PRODUCTION

Columbia

"THE CLAY PIGEON," with Joe E. Brown; produced by Edgar Sedgwick. Mr. Sedgwick is a good director, but the picture's box office value depends almost entirely on the degree of the star's popularity in each theatre.

MGM

"BAD MAN OF WYOMING," with Wallace Beery. Mr. Beery can still be depended upon to do fair business, provided the story is good. It is manifest that the MGM studio intends to duplicate the success of "Bad Man of Brimstone," released in 1938. Let's hope so.

"DULCY," with Ann Sothern, Dan Dailey, Jr., Ian Hunter, Roland Young, Reginald Gardiner, produced by Edgar Selwyn and directed by S. Sylvan Simon. This is the George S. Kaufman and Marc Connolly comedy, which played to 246 performances. It was produced in 1923 by First National, but turned out a tiresome picture; it was all talk and hardly any action. MGM may have better luck with it; at any rate, it is a program picture.

RKO

"STRANGER ON THE THIRD FLOOR," with Peter Lorre and others, produced by Lee Marcus and directed by Boris Ingster. Program.

"LADDIE," with Tim Holt, Spring Byington, Robert Barrat and others, produced by Cliff Reid and directed by Jack Hively. This is the Gene Stratton Porter novel, which was put into pictures by this company twice before: once in 1926 (by F.B.O., predecessor of R.K.O.), and once in 1935. On both occasions the picture turned out very good. Whether a third remake will prove wise or not will be known after the picture is released.

Twentieth Century-Fox

"FOR BEAUTY'S SAKE," with Ted North, Marjorie Weaver, Glen Hunter and others. For double-bills.

Warner-First National

"TUGBOAT ANNIE SAILS AGAIN," with Marjorie Rambeau, Alan Hale, Ronald Reagan, and Jane Wyman. Program stuff.

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IS THIS THE DAWN OF A NEW ERA?

In the last two weeks I have had the pleasure of seeing develop a situation that might truly be called the dawn of a new era in constructive thinking in the motion picture industry. Two prominent leaders from, what could be called, the opposite side of the fence, approached Mr. Abram F. Myers to enlist his and Allied's cooperation for the good of the industry.

One of these leaders is Spyros Skouras, head of National Theatres, a highly influential person, as many of you know, in the affairs of the industry. When Mr. Skouras received the information that the Ways and Means Committee of the U. S. Senate proposed to reduce the tax exemption on amusement tickets to 30c from 40c, he felt that, what happened after the exemption was established at 40c would happen again. Before the exemption was set at 40c, almost every theatre that charged 50c lowered its admission to 40c so as to avoid charging its patrons a tax; and those that charged smaller prices had, to meet the competition, to lower theirs, until now there are only 140 theatres (not 240, as stated in these columns recently) charging more than 40c admission. If the exemption should be lowered to 30c, those who charged 35c would be tempted to lower their admission to 30c so as to avoid charging a tax, and the subsequent-run theatres would take the cue and lower theirs accordingly. If that should have happened to pass, the industry would certainly be ruined, for no producer could produce big pictures with any hope of getting back his investment, let alone make a profit.

Mr. Skouras conceived a plan that would, in his opinion, not only give the government greater tax returns, but also prevent the ruin of the industry, in addition to benefitting all exhibitors by inducing them to increase their admission prices. But, feeling that the plan would have no chance of being adopted by the Ways and Means Committee without independent exhibitor support, he requested me to accompany him to Washington for the purpose of introducing him to Mr. Myers.

The fact that the Allied board of directors, to whom Mr. Myers submitted the Skouras plan, did not approve it is not what I want to call your attention to, but the fact that an industry leader heading the second largest theatre circuit in the world, from the point of view of numbers, but the largest, from the point of view of unification, recognized Allied and its counsel as important factors. This stamps Mr. Skouras as a leader capable of doing constructive thinking of the first order.

Again in Chicago last week, at the Allied convention, I had the pleasure of being present at a talk, arranged by this writer on his own responsibility, between Mr. Myers and W. F. Rodgers, head of the distribution department of Metro-Goldwyn-Mayer, and observing the two men acting as big men, inspired by one common motive—to serve the interests of the industry as a whole. The fact that Mr. Rodgers, after past misunderstandings with the Allied leaders in general, and with Mr. Myers in particular, sat down with Mr. Myers, the acknowledged leader of the independent exhibitors of the nation, and consulted with him in a spirit of good will, augers well for the future of the business. Both leaders rose to the occasion admirably.

Later in the evening, during the banquet, I again had the pleasure of hearing Mr. Rodgers, who was one of the speakers, pledge to Allied his whole-hearted co-

operation and sincere efforts for a better understanding between distributors and Allied. He said that, in making that offer, he was speaking only for his company, but those who know the facts realize the influence Mr. Rodgers exerts upon the other companies.

From the vantage point in which I sat on both occasions, I have formed the conclusion that, if the heads of the other companies give Allied and its representatives the recognition accorded them by Messrs. Skouras and Rodgers, and cease attributing to them motives that are foreign to their purposes, there is no reason why the problems that divide the two groups cannot be solved definitely and conclusively. All it requires is a little display of good will.

The times we are going through are critical and it behooves every one of us to lend a hand, to the end that harmony prevail in the motion picture industry; otherwise the industry will crack up.

THE ALLIED CONVENTION IN CHICAGO

The Allied convention, held at the Morrison Hotel, in Chicago, last week, was a great success; it was inspiring, and the Allied leaders did fine work.

Under the leadership of Col. Harry Cole, president, with the guidance of Mr. Myers, counsel, and with the aid of a loyal board of directors, Allied has made great strides. It is slowly but surely gaining the recognition of the producer-distributor element, which has begun to recognize the constructiveness of the Allied leaders.

The convention closed with a banquet, in which Hon. James J. Walker, former Mayor of New York City, was the toastmaster on an invitation by Jack Kirsch, president of Allied Theatre Owners of Illinois, and Chairman of the convention committee. "Jimmy," as the ex-Mayor is affectionately called by all those who know him, was at his best. He always was good amidst exhibitors, and evidently the old fire has not died down.

Incidentally, every one paid homage to Jack Kirsch for the marvellous manner in which he put the convention over. If it was an unprecedented success, it was owed to his tirelessness, resourcefulness and ingenuity.

SAM GOLDWYN STOPS PRODUCING

Samuel Goldwyn has announced that, until his suit against United Artists is settled, he will not make any pictures; and to prove that he means business he has disbanded his organization.

Mr. Goldwyn's action is regrettable. Coming at a time when good pictures are needed to bolster up not only the morale of the people, but also the box offices, his decision will prove greatly damaging.

Mr. Goldwyn must realize that the Government needs money for defense, and every good picture he keeps away from the trade means, not only diminished payrolls, but also loss of profits on which tax is eventually paid to the government.

It is the opinion of this paper that Mr. Goldwyn should settle his troubles with United Artists by arbitration and not through the courts, to the end that he may return to production the sooner for the benefit, not only of himself, but also of the entire industry.

"Manhattan Heartbeat" with Joan Davis, Virginia Gilmore and Robert Sterling

(20th Century-Fox, July 12; time, 71 min.)

A fair human-interest program picture. It was made once before, in 1931, under the title "Bad Girl." Several changes have been made in the present version; these are beneficial, but a few of the faults have been retained. As was the case with "Bad Girl," it will, despite its faults, prove satisfactory program entertainment to most of those who will see it because of the strong human appeal and pathos. The most effective scene is that in which the young hero pleads with a famous doctor to take care of his wife, who was about to give birth to a child. Joan Davis really provides the most engaging performance, provoking laughter each time she appears. The picture's box-office values are pretty weak, however, considering the lack of star names:—

Robert Sterling, a professed woman-hater, changes his mind about women when he meets Virginia Gilmore, a pretty young girl who worked in a department store. Realizing that Sterling was interested in Miss Gilmore, Miss Davis insists on handling the affair; she arouses Sterling's jealousy by telling him that Miss Gilmore was going out with some one else. Unable to bear the thought of any one else seeing Miss Gilmore, Sterling finally proposes marriage and is accepted. The young couple start housekeeping in a cheap furnished flat in order to save money so that Sterling might buy a flying field. But Sterling, sensing that Miss Gilmore was unhappy, thinks it was because of their surroundings. Unknown to her he leases a more expensive apartment and furnishes it charmingly, using all the money he had saved. That night he learns that his wife was going to have a baby. He does extra hazardous work so as to earn enough to get a good doctor. When the day arrives for his wife to give birth, Sterling is frantic, knowing that she was frightened. He rushes to the home of a famous doctor and pleads with him for his help. Touched by the young husband's sincerity, the doctor goes to the hospital and takes care of Miss Gilmore personally. A boy is born. Instead of charging the young couple anything, the doctor gives them a check for \$50.

The plot was adapted from the play by Vina Delmar and Brian Marlow. Harold Buchman, Clark Andrews, Jack Jungmeyer, Jr., and Edith Skouras wrote the screen play, David Burton directed it, and Sol M. Wurtzel produced it. In the cast are Edmund MacDonald, Don Beddoe, Mary Carr, and others.

Suitability, Class A.

"Passport to Alcatraz" with Jack Holt

(Columbia, June 6; time, 59 min.)

Just an ordinary program melodrama. Audiences may be surprised to find, after reading the title outside the theatre, that the picture has nothing to do with Alcatraz Prison, dealing, instead, with foreign agents and their attempts to sabotage munition plants. But so obvious are the plot developments, and so poorly produced is the picture, that most audiences may find it just a tiresome rehash of a familiar plot. Nor can credit be given either to the director or performers, for in both respects the results are poor. There is a romance, but it is incidental:—

Jack Holt, a member of the Police Department, undertakes to discover the identity of the leader of a gang of foreign agents who were sabotaging American munition plants. By posing as an Immigration Officer who was known to have been connected with the gang and had, therefore, been arrested, Holt is able to obtain the passport of a newly arrived agent. The agent is put in prison and Holt takes his place. He comes in contact with C. Henry Gordon, from whom he was to take orders, but realizes that Gordon was not the leader. Gordon, never questioning Holt's connection with the foreign power for whom he was working, gives away many of the secrets. Holt's assistant (Noah Beery, Jr.) becomes acquainted with Cecelia Callejo, Gordon's secretary; he learns that Gordon had compelled her to work for him because of a mixup in her passport. Eventually Holt discovers that the leader of the gang was none other than an executive in the munitions company itself. The leader, Gordon, and the gang are rounded up. Beery marries Miss Callejo.

Albert De Mond wrote the original screen play, Lew Collins directed it, and Larry Darmour produced it. In the cast are Maxie Rosenbloom, Guy Usher, Clay Clement, Ivan Lebedeff, and others.

Suitability, Class A.

"Tom Brown's School Days" with Sir Cedric Hardwicke, Freddie Bartholomew and Jimmy Lydon

(RKO, Date not set; time, 81 min.)

Handled with understanding and produced with care, this comedy-drama of school life at Rugby, England's famous school, in its early years, is good entertainment, suitable for the masses as well as for class audiences. The picture is not all sentiment or comedy; instead, it shows that young boys in the old Rugby days had vicious traits as well as virtues; yet the predominating feature is the comedy, which is provoked by the antics of the boys. The manner in which reform is brought about in the school is done without preaching or sentimentalizing, but with logic and good humor. The performances are unusually good and the direction is excellent:—

Dr. Arnold (Sir Cedric Hardwicke) accepts the appointment as headmaster of Rugby with the understanding that he would have a free hand. He arouses the press and laymen against him because of his insistence on expelling boys who were caught lying and cheating; his theory was that one bad boy could ruin the characters of all the boys around him. The only one who stands by him is Squire Brown (Ernest Cossart) who, to show his approval of Dr. Arnold's methods, sends his own son Tom (Jimmy Lydon) to Rugby. Tom arrives at the school, a frightened young boy. He is taken in hand by East (Freddie Bartholomew), who puts him wise to things; East warns him not to offend Flashman (Billy Halop), a bully. Brooke (Ian Fulton), a Sixth former, head of Tom's house, aware of the bullying that was going on, agrees with Dr. Arnold that it must be stopped. He puts the boys on their honor and appeals to them to resist the bullies. Tom, who worshipped Brooke, decides to stand up for his rights and even engages in a fight with Flashman. During the fight Brooke overhears that it was Flashman who had tortured Tom; Dr. Arnold, too, learns of it. Flashman is expelled. Although every one hated Flashman, they hated a tattler even more and, believing that Tom had told, boycott him. Eventually they find out about their mistake, and ask Tom's forgiveness. But not East; he refused to talk to Tom, who had once made him suffer. Tom and East go through their years at Rugby without talking to each other. Their common sorrow at the death of Dr. Arnold eventually brings them together.

The plot was adapted from the novel by Thomas Hughes; Walter Ferris, Frank Cavett, Gene Towne, and Graham Baker wrote the screen play, Robert Stevenson directed it, and Gene Towne produced it. In the cast are Josephine Hutchinson, Polly Moran, Hughie Green, Alec Craig, and others.

Suitability, Class A.

"The Last Alarm" with J. Farrell MacDonald, Polly Ann Young and Warren Hull

(Monogram, June 25; time, 60 min.)

A minor program picture. The story is routine. The only fairly exciting scenes are stock shots of fires that have been interpolated as part of the action. Otherwise the plot is developed at a somewhat slow pace, and on occasion is pretty far-fetched:—

J. Farrell MacDonald, a retired Captain of the Fire Department, unable to become accustomed to idleness, looks forward to the day when his pal would be retired so that they could enjoy their leisure time together. But his pal's death in a fire saddens MacDonald. He decides to help Warren Hull, an insurance company employee, trace the identity of the firebug who had been setting various buildings on fire, causing damage and loss of life. Accidentally MacDonald discovers the identity of the incendiary, who, knowing that MacDonald had made the discovery, had tried to trap MacDonald's wife and daughter in their home, which he had set on fire. MacDonald and Hull arrive in time to save the two women. The villain dies in an attempt to escape.

Al Martin wrote the original screen play, William West directed it, and T. R. Williams produced it. In the cast are Mary Gordon, George Pembroke, Joel Friedkin, and others.

Suitability, Class A.

**"Queen of the Mob" with Ralph Bellamy,
Blanche Yurka and J. Carroll Naish**
(Paramount, June 28; time, 61 min.)

Just another gangster melodrama. The only thing in it that might be considered novel is the fact that a mother leads her sons in criminal activities; but this makes the picture even more demoralizing than the average gangster story. In all other respects the story runs along the routine lines of most crime pictures—holdups, kidnapping, killings, and chases. An attempt is made to soften the character of the mother by showing her interest in her grand-child, but it is without effect on the spectator, for it is artificial. There is no comedy or romance:—

Blanche Yurka works with her three sons (Paul Kelly, Richard Denning and James Seay) and J. Carroll Naish on robberies; she is the brains of the outfit. Her fourth son (William Henry), the only respectable member of the family, is married to Jean Cagney; he is heartbroken at the activities of his family. G-Men trace a letter to Henry and call on him for questioning; he tells them whatever he knows, although he expresses his doubt that his mother and brothers could have committed such brutal crimes. After an active period of crime, including holdups, kidnapping, and killings, during which time they had collected a fortune, Miss Yurka decides that it would be best to quiet down for a time and mix in good society, for she felt that the police would not think of looking for them there. But by following some clues, the G-Men trail them to their new home. They escape and, since they could not use their "hot" money, they commit petty crimes so as to have enough money for food. Taking advantage of Miss Yurka's absence one afternoon, Naish convinces the boys that they ought to try a big holdup. They try one, and it results in the capture of Kelly, and the wounding of one of the other sons, who dies. The third son kills Naish, when he tries to walk out on them. Eventually he and his mother are trapped. The G-Men kill him and take the mother prisoner. Kelly receives a life sentence.

J. Edgar Hoover wrote the story, and Horace McCoy and William R. Lipman, the screen play; James Hogan directed it, and Edward T. Lowe produced it. In the cast are Jack Carson, Hedda Hopper, Pierre Watkin, Billy Gilbert, and others.

Not for children or adolescents. Adult fare. Class B.

**"Mad Men of Europe" with Edmund Gwenn
and Mary Maguire**
(Columbia, June 3; time, 73 min.)

This melodrama, which was produced in England, centers around current means of warfare on the part of the Germans. It has been produced well, but it is too grim, too realistic for showing at the present time. Most persons' nerves are on edge, through listening to the radio and reading newspapers about the war, and a picture such as this one only adds to one's misery. It is not entertainment; at least not under present conditions:—

Paul Von Hernried, a German spy, arrives in London and there goes into partnership with another German in the radio business. He becomes friendly with Mary Maguire, whose young brother (Desmond Tester) was keenly interested in amateur radio work. Von Hernried, a frequent visitor at Miss Maguire's home, pretends to help young Tester build a radio set. Von Hernried installs a powerful radio transmitter and receiver set, without any one suspecting the real purpose behind the "kind" act. Miss Maguire's father (Edmund Gwenn), although he admired Von Hernried, felt that his daughter should marry her English childhood sweetheart (Geoffrey Toone); but he does not interfere. Although Von Hernried really loved Miss Maguire he does not let that stand in his way. On the day that Miss Maguire was giving a party for her father, Von Hernried receives a message that his country intended to strike. He and his partner post themselves at the radio and send out messages directing the planes. The soldiers, by means of parachutes, land at the house, where they take complete command. They ruthlessly break up all the furniture. Gwenn, who had dared to shoot a German who had struck his young son, is taken out and shot. Miss Maguire is horrified. She and her brother are permitted to leave the house. They are found by Toone, who had returned after having warned the British Army chief. The English bomb the house, thereby getting rid of the radio station and of the soldiers stationed there. Toone comforts Miss Maguire.

Guy DuMaurier wrote the story, and Ian Hay, Edward Knoblock and Dennis Wheatley, the screen play; Albert De Courville directed it, and Neville E. Neville produced it.

Nothing morally wrong. Suitability, Class A.

"Anne of Windy Poplars" with Anne Shirley
(RKO, June 28; time, 85 min.)

A moderately entertaining small-town comedy-drama. The story is, not only old-fashioned, but also thin; it lacks dramatic power and action. And the comedy is slightly forced. Young girls who have read the "Anne" books and enjoyed them may be interested in it; but, with others, it may have a limited appeal, particularly so far as adults are concerned. The production values—performance and direction—are adequate enough, but there is not sufficient substance to the story to hold the interest of the average person. The romance is of no importance:—

When Miss Shirley arrives in Pringleton to undertake the job of vice-principal at the local school, she is puzzled by the antagonism shown to her by the members of the most important family in town. Having been turned down by them, she finally obtains board at the home of Minnie Dupree. Miss Dupree, her brother (Henry Travers), and a maid (Elizabeth Patterson) welcome Miss Shirley, for they were avowed enemies of the important family. Miss Shirley realizes that even the principal was against her, for he had assigned to her tasks that would have broken the spirit of most young women; but she decides to fight. She finally learns the reason for the antagonism; the head of the clan (Ethel Griffies) wanted the position for Louise Campbell, a member of the family. Miss Shirley sets about making friends with Miss Campbell, who, was interested in dramatics. She invites Miss Campbell to help her with the school play, and even suggests that the leading part be given to Marcia Mae Jones, another young member of the family. She tries to make friends with Miss Griffies by giving to her the diary Travers had kept as a seaman, which was the only proof that Miss Griffies' husband had been a smuggler and pirate; but Miss Griffies is adamant. On the night of the play, Miss Griffies tries to humiliate Miss Shirley by locking Marcia in her room, forbidding her to go to the play. But Miss Campbell frees her, taking her place in the room. The play is successful. While walking down the staircase holding a lamp in her hands, Miss Griffies suffers a heart attack and falls, setting the house afire. She dies. James Ellison, who loved Miss Campbell, saves her. Miss Shirley plans an early wedding with Patric Knowles.

The plot was adapted from the novel by L. M. Montgomery; Michael Kanin and Jerry Cady wrote the screen play, Jack Hively directed it, and Cliff Reid produced it. In the cast are Slim Summerville, Joan Carroll, Alma Kruger and others.

Suitability, Class A.

**"Pop Always Pays" with Leon Errol,
Dennis O'Keefe and Marjorie Gateson**
(RKO, June 21; time, 66 min.)

This program farce should serve well enough for the second half of a double-feature program. Although the story has little substance, it keeps one chuckling almost throughout, and helps take one's mind off the serious problems of the day. Leon Errol is mainly responsible for the laughter that is provoked on occasion; so capably does he handle the part of the father who constantly gets into trouble, that one cannot help feeling pity for him as well as laughing at the things that happen to him. The romance is an important part of the story:—

Errol, feeling that the best way to prevent his daughter (Adele Pearce) from marrying Dennis O'Keefe would be to place an obstacle in their way, tells the young couple that if O'Keefe could save \$1,000 he would, not only give his consent to the marriage but add \$1,000 to the savings account. To his dismay O'Keefe takes the thing seriously and starts saving. Errol becomes panicky because he did not have \$1,000 to give them, as he had promised. His wife (Marjorie Gateson), knowing the predicament he was in, but desiring to teach him a lesson, pawned a valuable bracelet she owned so as to help O'Keefe get the \$1,000 together even quicker. Errol, not knowing what to do, decides to borrow his wife's bracelet to pawn it. He did not know that what he had taken from the safe was just an imitation. Things go from bad to worse—the police intervene, and finally Errol is compelled to give O'Keefe a check when he shows him that he had saved \$1,000; he looks forward to years in prison because he knew that the check was no good. But Miss Gateson, by cleverly manipulating things so as to get the check back, comes to his rescue. Errol is thankful.

Arthur J. Beckhard wrote the story, and Charles E. Roberts, the screen play; Leslie Goodwins directed it, and Bert Gilroy produced it. In the cast are Walter Catlett, Tom Kennedy, Robert Middlemass, and others.

Suitability, Class A.

PETE WOOD'S SENSIBLE ADVICE TO THE EXHIBITORS OF OHIO

In a bulletin dated June 19, Pete Wood, business manager of The Independent Theatre Owners of Ohio, gave to the Ohio exhibitors the following advice regarding the admission tax that has been imposed by the federal government:

"1. Do not purchase any large quantities of new tickets until we know definitely regarding this tax.

"2. Make a careful record of the closing numbers on all tickets in your possession at the close of the business, Sunday, June 30, 1940, so that you will be in a position to make the proper report to the Federal Government when you make your first monthly report and tax payment to the Department of Internal Revenue....

"5. No theatre should attempt to absorb the new federal admission tax. . . ."

Mr. Wood suggests that each exhibitor add the tax to the price he already charges.

Mr. Wood's suggestion is for the benefit, not only of the exhibitor, but also of the United States Government, which needs money for the defense of the country. When the exhibitor absorbs the tax, he decreases his own profits, and naturally will pay less to the Government in income taxes. The country needs money for defense, and the tax payers must give it their cooperation.

THE QUESTION OF DOUBLE-FEATURES AND HOW IT MAY BE MET

At its annual convention in Chicago, last week, Allied took a decided stand against double features, calling it an unsound policy, the effect of which is to influence the producers into flooding the market with mediocre product. In addition to this, Allied felt, the dual features create a shortage of product, resulting in higher film rentals and in lower admission prices.

The double-feature evil may be eradicated only by making pictures that will stand up alone; as long as the majority of pictures are of "B" and of "C" grade, and as long as the majority of expensive pictures are of mediocre quality, that long the double-feature evil will exist, and even thrive.

Paramount made an announcement two weeks ago that it will eliminate the "B" features, confining itself to "A" features, but it will not reduce the budget; by reducing the number of features, Paramount will be enabled, Mr. Balaban said, to add \$100,000 or more to each of the other pictures in either star or story values.

The Paramount decision is sound, and if it is followed by a determination to give a greater care in the selection of its story material a considerable improvement will have been made in the quality of its output; and if the other producers make up their minds to take the same steps there will be a decided improvement in the quality of next season's product.

PICTURES NOW IN PRODUCTION

Columbia

"SO YOU WON'T TALK," with Joe E. Brown. Its box-office possibilities in each theatre depend on the star's popularity.

Metro-Goldwyn-Mayer

"GOLDEN FLEECING," with Lew Ayres. Program.

Paramount

"CHEROKEE STRIP." A Sherman western.

"THERE IS MAGIC IN MUSIC" with Allan Jones, Susannah Foster, Margaret Lindsay, and others, produced and directed by Andrew Stone. A musical, the box-office results of which will depend largely on the story material. The singing will undoubtedly be excellent.

United Artists

"SON OF MONTE CRISTO," with Louis Hayward, Joan Bennett and others, produced by Edward Small, and directed by Rowland V. Lee. Mr. Small's "Count of Monte Cristo" was a fine box-office attraction, but it had Robert Donat in the leading part. Mr. Donat will be absent from this picture. But Edward Small has had pretty good luck with pictures that featured even ordinary players.

Warner-First National

"LADIES MUST LIVE," with Rosemary Lane, Wayne Morris, Roscoe Karns, Lee Patrick and others.

"FLOWING GOLD," with Pat O'Brien, John Garfield, Frances Farmer, Cliff Edwards and George Tobias, produced by William Jacobs and directed by Alfred Green. Fine cast and fine director.

BOX-OFFICE PERFORMANCES

First National

1939-40

The previous box-office performances of First National pictures were published in the January 27 issue.

"Smashing the Money Ring": Fair-Poor.
"We Are Not Alone": Good-Fair.
"Return of Dr. X": Fair.
"Private Detective": Fair-Poor.
"Four Wives": Very Good-Fair.
"Fighting 69th": Very Good.
"Castle on the Hudson": Good-Fair.
"Dr. Ehrlich's Magic Bullet": Very Good-Fair.
"Three Cheers for the Irish": Good-Fair.
"Til We Meet Again": Good-Fair.
"An Angel From Texas": Fair-Poor.
"Flight Angels": Fair-Poor.
"Torrid Zone": Very Good-Fair.
"Murder in the Air": Fair-Poor.
"A Fugitive From Justice": Fair-Poor.

Twenty pictures have so far been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Good, 1; Very Good, 1; Very Good-Fair, 4; Good-Fair, 4; Fair, 1; Fair-Poor, 9.

Metro-Goldwyn-Mayer

1939-40

The previous box-office performances of Metro-Goldwyn-Mayer pictures were published in the February 10 issue.

"Marx Bros. at the Circus": Good-Fair.
"Bad Little Angel": Fair-Poor.
"Ninotchka": Excellent-Fair.
"Remember": Good-Fair.
"Another Thin Man": Very Good-Good.
"The Secret of Dr. Kildare": Good-Fair.
"Joe and Ethel Turp Call on the President": Fair.
"Henry Goes Arizona": Fair-Poor.
"Nick Carter, Master Detective": Fair.
"Judge Hardy and Son": Excellent-Good.
"Balalaika": Very Good-Fair.
"Earl of Chicago": Good-Poor.
"The Shop Around the Corner": Good.
"Congo Maisie": Good-Fair.
"Lambeth Walk": Poor.
"I Take This Woman": Good-Fair.
"Broadway Melody of 1940": Good.
"Man From Dakota": Fair-Poor.
"Northwest Passage": Excellent-Good.
"Strange Cargo": Very Good-Good.
"The Ghost Comes Home": Fair-Poor.
"Young Tom Edison": Excellent-Fair.
"Florian": Fair-Poor.
"And One Was Beautiful": Fair-Poor.
"Dr. Kildare's Strange Case": Good-Fair.
"Two Girls on Broadway": Fair.
"Forty Little Mothers": Fair-Poor.
"Twenty Mule Team": Good-Fair.
"Edison the Man": Excellent-Good.
"Waterloo Bridge": Very Good-Good.

Thirty-six pictures have so far been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent, 1; Excellent-Very Good, 1; Excellent-Good, 3; Excellent-Fair, 2; Very Good-Good, 3; Very Good-Fair, 1; Good, 2; Good-Fair, 11; Good-Poor, 1; Fair, 3; Fair-Poor, 7; Poor, 1.

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1270 SIXTH AVENUE**Room 1812****New York, N. Y.****A Motion Picture Reviewing Service****Devoted Chiefly to the Interests of the Exhibitors****Its Editorial Policy: No Problem Too Big for Its Editorial Columns, if It is to Benefit the Exhibitor.**Published Weekly by
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A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING**Vol. XXII****SATURDAY, JULY 6, 1940****No. 27****1940-41 SEASON'S SELLING TERMS**

The following is information that I have received regarding the selling terms of the different distributors for the 1940-41 season:

COLUMBIA (44 pictures and 16 westerns): Two at 40%; six at 35%; ten at 30%; remainder, outright.

METRO-GOLDWYN-MAYER (44 to 52 pictures): Same terms as last year; it has not increased the number of pictures in the high brackets.

PARAMOUNT (38 pictures): Two at 40%; eight at 35%; twelve at 30%; remainder, outright.

RKO (RADIO) PICTURES (46 pictures and 6 westerns): Two at 40%; six at 35%; eight at 30%; remainder, outright.

REPUBLIC PICTURES (58 pictures including the westerns): Four at 25%; twelve at 20%; remainder, outright.

TWENTIETH CENTURY-FOX (52 pictures): Two at 40%; eight at 35%; fourteen at 30%; remainder, outright.

UNITED ARTISTS (22 pictures or more): Deals made for the product of each individual producer. Among the different producers, David Selznick has announced that he will sell either one or all the pictures in his program. And he will not tolerate tying up his product with the product of any other producer, or even one of his pictures with any other of his own pictures.

Those who bought from him last season the two pictures that he is to release through United Artists will receive them regardless of whether they buy any other United Artists pictures. In other words, the United Artists salesmen have no right to promise the exhibitors delivery of the two Selznick pictures only if they should buy other United Artists products; they will receive them anyway.

UNIVERSAL (42 pictures regular—3 Frank Lloyds, 7 Devines, 7 westerns, and 2 others): Four at 40%; eight at 35%; eight at 30%; remainder, outright.

WARNER-FIRST NATIONAL (48 pictures): Four at 40%; eight at 35%; eight at 30%; remainder, outright.

The terms for circuits, particularly affiliated circuits, are naturally better than the terms for the independent theatres. Usually the percentage is by 5% less for each bracket, and the number of percentage pictures for each bracket about one-half. Some of the independent large circuits may not receive as much consideration, but many of them do.

THE NEW TAX

Beginning July 1, all admissions must be charged the following tax:

Up to and including 20c, no tax.

From 21c to 30c the tax is 3c.

From 31c to 40c the tax is 4c.

From 41c to 50c the tax is 5c.

From this point on, the tax is as before.

The tax has been imposed by the Government not on the right to sell but to buy tickets. Consequently, the exhibitor should charge the tax to the public.

The law provides that every ticket must have the admission price and the tax charged "conspicuously and indelibly printed, stamped, or written on the face or back of that part of the ticket which is to be taken up by the management of the theatre, opera, or other place of amusement, together with the name of the vendor if sold other than at the ticket office of the theatre, opera or other place of amusement. . . .

"Every person liable to any tax imposed by this Act, or for the collection thereof, shall keep such records, render under oath such statements, make such returns, and comply

with such rules and regulations, as the Commission, with the approval of the Secretary, may from time to time prescribe."

Every exhibitor, before starting to sell tickets on July 1, should have before the box office a sign showing the admission price and the tax charged for each ticket denomination. There is no exception to the rule requiring signs.

In collecting and accounting for this tax, the exhibitor is the trustee for the Government. Severe penalties are imposed for failure to comply with the law.

The money due to the Government should be placed in a separate account, and accurate records kept showing the amount of tax collected from each ticket denomination, and the opening and closing of numbers for each denomination, daily.

Each month the exhibitor is to make a return under oath on Form 729, in accordance with the instructions printed on the back of that form. This form should include any tax due on free or reduced rate admissions, which tax is equivalent to the tax on the amount paid by other persons for the same or similar accommodations. Copies of this form should be obtained from the Collector of Internal Revenue if a supply is not received from the Revenue Office in time. (EDITOR'S NOTE: This office has asked the Collector of Internal Revenue whether under the new law press passes are exempted, but he could not reply in that he had not yet received the new regulations. In all probability, they are exempted.)

Mr. Abram F. Myers called the attention of the Commissioner of Internal Revenue to the impossibility for most exhibitors to comply with the provision of the law that provides that each ticket should have printed on it the price of admission and the amount of tax to be paid by the patron, and the Commissioner replied to him as follows:

" . . . if price of admission is changed, tickets on hand must be overstamped to show admission and tax, but if price of admission remains same tickets may be used for limited time without stamping tax thereon, provided signs at box office show admission charge, tax and total. . . ."

Mr. Myers says that the Commissioner's ruling to the effect that tickets on hand may be used without stamping the tax thereon, provided the price is not changed, presupposes that an exhibitor's present stock of tickets have the admission prices printed on them.

If in doubt as to the provisions of this law, ask the nearest Revenue office.

**A DEPLORABLE CONDITION
IN CHICAGO**

The Balaban & Katz theatre circuit, a Paramount subsidiary, with its home office in Chicago, is showing triple features in one of its Chicago theatres—the Belmont, seating 3257.

Up to Sunday, June 16, there were 18 theatres showing three or more features on the same program, but business was so bad as a result of it that 17 of these theatres decided to discontinue the practice from that date on. But the Belmont Theatre, owned by the Balaban & Katz circuit, did not follow suit—it continued the practice.

Mr. Jack Kirsch, president of Allied Theatre Owners of Illinois, having tried to make that theatre do what the independent theatres had done and failed, took a page advertisement in one of the Hollywood papers and called the attention of the industry's leaders that the Belmont, on June 16, showed the following features on the same program: "Rebecca," "House Across the Bay," and "Viva Cisco Kid," a five-hour show.

The wording of Mr. Kirsch's advertisement was tem-
(Continued on last page)

"My Love Came Back" with Olivia de Havilland and Jeffrey Lynn

(Warner Bros., July 20; 84 min.)

A sweet and charming romance, with considerable instrumental music to enchant one and to make one forget the day's worries. It is the type of pictures that are needed very much during these days. The romance between Olivia and Jeffrey is believable, for by their good acting they make it appear genuine. There are some dramatic situations, but not the kind that would make one feel unhappy. The underlying idea of the story is the hero's misunderstanding of the innocent relationship between the heroine and a wealthy man, who had been furnishing secretly the money necessary for her musical education. The settings are elegant, and the photography so sharp and pleasing that they impart to the picture real richness:—

Olivia de Havilland, studying music on a scholarship, leaves the conservatory in disgust when her musical instructor reprimands her because she was late, refusing to let her give him an explanation—she had to give a lesson, from which she was earning enough to support her mother. But the terms of the scholarship were against such work. Olivia joins an orchestra of her friends, who wanted to introduce a new idea in dancing orchestras—to take classical music and play it to the rhythm of modern swing. Charles Winninger, a wealthy man, happened to be nearby when Olivia had quit, and when he learns that she was a promising concert violinist, orders Jeffrey Lynn, manager at his Monarch Music Company, to pay her a certain sum of money monthly, as a scholarship, but to keep his name out of it. This leads to complications, for in time Jeffrey falls in love with her and, when he reprimands her for her "inexcusable" conduct, she resents it. But in time he finds out how wrong he was to think the worst of her and, on his knees, begs her forgiveness; and Olivia forgives him, because she loved him.

The story is by Walter Reisch, and the screen play by Ivan Goff, Robert Buckner and Earl Baldwin. Kurt Bernhardt directed it, and Hal B. Wallis produced it, with Wolfgang Reinhardt as associate producer. In the cast are Eddie Albert, Jane Wyman, Spring Byington, and others.

Class A.

"Private Affairs" with Roland Young, Nancy Kelly, Robert Cummings and Hugh Herbert

(Universal, July 5; time, 74 min.)

A pleasant comedy. Although the story is of program grade, it may do better than average program business because of the popularity of the featured players and of the fact that the production values are very good. It is not the type of picture to cause uproarious laughter, but it does manage to keep one chuckling pretty nearly all the way through. Moreover, the romance is pleasant and the performances engaging. Many persons should find it amusing:—

Nancy Kelly rebels when her grandfather (Montagu Love), with whom she lived, insists that she marry the man of his choice. She was in love with Robert Cummings, a young lawyer, who loved her. Thinking that her father (Roland Young), who had been disinherited when he married her mother, was a successful business man, she leaves for New York to see him for the first time in years so as to obtain his consent to her marriage to Cummings. In an effort to keep up appearances, Young borrows from Hugh Herbert, a taxi driver to whom he already was indebted for taxi fares; but Miss Kelly soon learns the truth. Young accidentally meets with Jonathan Hale, a successful stock broker, who was trying to put across the sale of stocks in a new mining outfit. Hale, knowing the power of Young's father's name in Boston, decides to give Young a job in charge of the Boston office. Young takes Cummings and Herbert with him to work in the office. But the conservative Bostonians, knowing Love's contempt for his son, refuse to buy. Miss Kelly and Young decide to make one last effort to win Love over. They give a big party and invite everyone of importance, leading them to believe that Love would be there. Through a ruse, Cummings and Herbert compel Love to go to the party. Every one buys stock, Young is considered a success, and Love finally gives his consent to the marriage of Cummings and Miss Kelly.

Walter Green wrote the story, and Charles Grayson, Leonard Spigelglass, and Peter Milne, the screen play; Albert S. Rogell directed it, and Burt Kelly produced it. In the cast are Florence Shirley, Dick Purcell, and others.

Suitability, Class A.

"Wagons Westward" with Chester Morris, Buck Jones, Anita Louise and One Munson

(Republic, June 19; time, 70 min.)

Good entertainment for the western fans. In addition to the usual exciting action to be found in pictures of this type, such as fights and fast horseback riding, the production values are above the average western, and the acting and direction are very good. The story, although developed along familiar lines, is substantial, holding one's interest well. One is in sympathy with the hero and the heroine, who willingly sacrifice their own happiness for the sake of others:—

David Cook (Chester Morris), a government law enforcement official, is compelled to carry out orders to arrest his twin brother Tom (also played by Morris), whose criminal activities had terrorized the southwest. With Tom in prison unknown to his pals, David is able to carry out his plans to break up the gang. Since he was the image of his brother, he takes his place with the gang, his identity known only to Hardtack (George Hayes), an old family friend, who knew everything about Tom and so is able to set David right. David finds himself in an embarrassing position, for he was compelled to make love to Phyllis (Anita Louise), Tom's girl-friend. Sheriff McDaniels (Buck Jones), who was secretly a member of Tom's gang, is suspicious of David. In the meantime, David falls in love with Julie (Ona Munson), Phyllis' sister, who hated Tom. He is compelled to tell her the truth. Even though she loved him, she knew it was impossible to tell her sister the truth, and so she insists that David marry Phyllis. This he does, much against his will. Tom, having escaped from prison, returns home and confronts Phyllis. Despite her pleas of innocence, he kills her, and then sets out to get his brother. The gang, learning of the deception, join him. But David and a few others are able to overpower the gang. Hardtack kills Tom when he tries to shoot at David. Julie eventually marries David.

Joseph Moncure March and Harrison Jacobs wrote the screen play, Lew Landers directed it, and Armand Schaefer produced it. In the cast are Quinn Williams, Douglas Fowley, John Gallaudet, Virginia Brissac, and others.

Not for children. Suitable for adolescents and adults. Class B.

"Prairie Law" with George O'Brien

(RKO, June 14; time, 58½ min.)

A fair western. Although it has plentiful action, the story is routine and unfolds in an obvious manner. But, as is usual in all the George O'Brien westerns, the production values are pretty good, particularly the photography in the outdoor scenes. O'Brien, in the role of a fearless cattleman who almost single-handed rids the town of its criminals, represents the type of hero western fans admire, for he attempts to obtain justice not only for himself but for others as well. The romance is pleasant:—

O'Brien, a prosperous cattleman, is enraged when he learns that Paul Everton, a crooked judge, was selling land to farmers, for he knew that the land was unfit for farming, and that the settlers could do nothing without water. He permits the farmers to use his springs, but he could not give them enough to irrigate crops. One of the settlers (Henry Hall), who had settled in the county with his daughter (Virginia Vale) and son (Dick Hogan), having had legal training, is appointed by Everton prosecuting attorney. Everton's gang, headed by Cyrus W. Kendall, steal O'Brien's cattle. O'Brien, in company with his uncle (J. Farrell MacDonald), the sheriff, pays Kendall a visit. Kendall kills MacDonald, asserting that he had done so in self-defense. Everton holds a fake election and has another town designated as the county seat. But Hall, who realized that O'Brien was honest, goes to the Governor and receives from him an order declaring the change of county seat illegal. Kendall is tried and sentenced to death. Hogan, who had sided with the criminals and had worked with them, regrets his actions; he is wounded in an effort to save his father's life. The villains are forced out of town and peace is restored. O'Brien and Miss Vale, who had fallen in love with each other, plan to marry.

Bernard McConville wrote the story, and Doris Schroeder and Arthur V. Jones, the screen play; David Howard directed it and Bert Gilroy produced it.

Suitability, Class A.

"Cross-Country Romance" with Gene Raymond and Wendy Barrie

(RKO, July 12; time, 68 min.)

A fairly pleasant romantic comedy of program grade. The story is routine and unfolds in an obvious manner. Yet it may fit nicely in a double-feature bill in neighborhood theatres, for it is light and puts one in an amiable mood. The friction between hero and heroine occasionally wears on one's nerves; but, since that is the only "sour" note in the picture, one can overlook it. There are a few situations that provoke laughter; and the romance is pleasant:—

On the day that she was supposed to marry G. P. Huntley, Jr., whom she did not love, Wendy Barrie, an heiress, runs away from home. Dressed only in a chemise, she hides in a trailer belonging to Gene Raymond, a young doctor, who was bound for San Francisco, there to catch a ship for China. He hoped to do research work with a famous bacteriologist. When Raymond finds Miss Barrie in the trailer he orders her out, but she appeals to him to permit her to ride for a short distance. She tells him who she is, but he refuses to believe her, and so she gives him another name and wins his sympathy by pretending that she was running away from a cruel father. They meet with many adventures, one of which was to become involved innocently with two crooks. Finally they marry, without Raymond's really knowing who she was. Hating the idea of being separated from Raymond, Miss Barrie telephones her mother to do something to prevent his going. The mother has an announcement made over the radio that the famous bacteriologist was returning to America. When Raymond hears that, he naturally decides to stay home. But he then discovers who Miss Barrie was, and, in disgust, orders her to leave. She tells him about the trick her mother had played; he rushes by plane to San Francisco and makes the boat. Since she was part owner of the steamship line, Miss Barrie manages to get aboard. They are finally reunited.

Eleanor Browne wrote the story, and Jerry Cady and Bert Granet, the screen play; Frank Woodruff directed it, and Cliff Reid produced it. In the cast are Hedda Hopper, Billy Gilbert, Berton Churchill, and others.

Suitability, Class A.

"New Moon" with Jeannette MacDonald and Nelson Eddy

(MGM, June 28; time, 100 min.)

An excellent musical. Coming at a time like this, it certainly fills a definite void. There is a sweet and charming romance, enchanting music, appreciable comedy, and melodramatic, fast action. It is the Oscar Hammerstein, II, Frank Mandel and Lawrence Schwab romantic musical comedy, the music of which was written by Sigmund Romberg; it was produced on the stage September 19, 1928, playing to 309 performances. MGM produced it as a picture once before, in 1931, with Grace Moore and Lawrence Tibbett. But that version was only fair, and did fair business. The present version should go over big, not only because it is a better picture, but also because the Nelson Eddy-Jeannette MacDonald pair is far more popular than the Grace Moore-Lawrence Tibbett pair, in addition to the fact that there is now a great demand for cheerful pictures. Miss MacDonald is as winsome as ever, and sings with the same charm, and Mr. Eddy lives up to his reputation as a fine baritone:—

The story unfolds in 1788, and deals with Charles, Duc de Villiers (Nelson Eddy), who is in love with Marianne de Beaumanoir (Jeannette MacDonald); to escape from the hands of the King, whose enemy he was, Nelson causes his own arrest and dispatch to New Orleans to be sold as a bondsman. On the ship, he accidentally meets Jeannette. In New Orleans, Nelson is purchased by Jeannette's plantation manager. The Paris police learns the whereabouts of Nelson and send an emissary to cause his arrest. Nelson, however, aided by Jeannette, who by this time had learned to love him, escapes and, with his fellow-bondsman, capture a ship. Nelson meets the ship New Moon and gives battle. Their own ship sinks, but they take over the New Moon. Nelson is surprised to find on it Jeannette; she was returning to Paris. But the ship was first to touch New Martinique, to disembark a number of brides. A storm breaks out and the New Moon is wrecked; all are washed ashore. Nelson takes charge ashore and every one has to work either building cabins, or hunting for food, or cooking. Months later they sight a ship. But to their joy the ship brings a joyful message—that the King had been deposed and that France was a republic. By this time, Nelson and Jeannette had confessed that they loved each other.

Robert Z. Leonard directed it, from a screen play by Jacques Deval and Robert Arthur. In the supporting cast are Mary Boland, George Zucco, H. B. Warner, Richard Purcell, John Miljan, Grant Mitchell, and others.

Class A.

"The Captain Is a Lady" with Charles Coburn and Beulah Bondi

(MGM, June 21; time, 65 min.)

A mildly entertaining program picture. Class audiences may enjoy it because of the good performances and the quaintness of the story. But for the masses, particularly the young folk, it lacks excitement. Older people may be entertained, since the story revolves around an elderly couple and their middle-aged friends. They are presented in a sympathetic light. The story has some human appeal and some comedy. There is a romance involving a young couple, but it is of minor importance:—

Having made poor investments with his savings, Charles Coburn, a retired sea captain, is compelled to give up his home where he lived with his wife (Beulah Bondi). Although she loved her house, Miss Bondi does not complain; instead, she pretends to be pleased at moving into an old ladies' home; she did not know that Coburn, in order to get together enough money for her admission fee to the home, had sold an interest in a boat he no longer owned. The inmates of the home, hating to see the devoted couple parted, decide to change their rules so as to permit Coburn to make his home there with his wife. He is labelled "Old Lady 31." Eventually Coburn rights the wrong he had done by saving the ship during a storm, thereby making good the money he had received by misrepresentation. With the money he received for salvaging the ship, Coburn is able to buy back his home. He and Miss Bondi are happy when their foster daughter (Virginia Grey) marries Dan Dailey, Jr., who had stuck by Coburn during all his trouble.

The plot was adapted from the play by Rachel Crothers and the novel by Louise Forslund. Harry Clark wrote the screen play, Robert B. Sinclair directed it, and Frederick Stephani produced it. In the cast are Helen Broderick, Billie Burke, Helen Westley, Marjorie Main, Clem Bevans, and others.

Suitability, Class A.

"The Man Who Talked Too Much" with George Brent, Virginia Bruce and Richard Barthelmess

(First National, July 13; time, 74 min.)

Only fair. It is a remake of "The Mouthpiece," which was released by Warner Bros. in 1932, and which was good adult entertainment. For one thing the plot, even though several changes have been made, remains substantially the same as in "The Mouthpiece," and so those who saw the first picture will know what is coming; the suspense is thereby weakened. Moreover, since 1932, so many exciting melodramas revolving around lawyers and criminals have been made that the subject matter is no longer novel. The hero's reformation and courage in the end tend to awaken one's sympathy for him. The romance is of minor importance:—

George Brent, assistant to the District Attorney, sends a young man to the electric chair. The real murderer eventually confesses, but it is too late to save the young man. Disgusted, Brent resigns and leaves for a big city, to start practice on his own. His secretary (Virginia Bruce), who loved him, follows him. He starts out practicing law, but his only clients are persons who cannot afford to pay a fee. Brent's brilliance in the court room comes to the attention of Richard Barthelmess, a noted gangster. He makes Brent a lucrative offer to represent him, which Brent accepts. From then on, Brent's practice advances by leaps and bounds; he becomes successful and wealthy. He eagerly awaits the arrival of his young brother (William Lundigan), who had graduated from law school, for he intended making him his partner. Lundigan takes his place in the firm, but is somewhat disgusted at what he sees. Barthelmess is indicted on a federal charge. Brent, being in possession of the only written evidence that could send Barthelmess to prison, feels confident. But Lundigan, in an effort to force Brent to give up his connections with underworld characters, steals the papers and turns them over to the District Attorney. Barthelmess, guessing what had happened, frames Lundigan on a murder charge. Brent is frantic. On the day that Lundigan was to go to the electric chair, Brent and Miss Bruce locate the real murderer and force him to confess. Brent is shot; but he recovers. He promises his brother not to engage in any more shady legal business.

Frank J. Collins wrote the story, and Walter DeLeon and Tom Reid, the screen play; Vincent Sherman directed it, and Edmund Grainger produced it. In the cast are Brenda Marshall, David Bruce, Clarence Kolb, John Litel, and others.

Unsuitable for children and adolescents. Adult fare. Class B.

pered; it did not contain any sensationalism. Manifestly Mr. Kirsch felt that the facts are so sensational in themselves that he did not think that a dramatic tone to the context was necessary.

In submitting this matter to the industry leaders in Hollywood, Mr. Kirsch said partly:

"Hollywood producers and New York distributors contend that with the loss of the foreign market American exhibitors must take up the slack, and good pictures should be played extended playing time. The independent exhibitors of Chicago are willing to play good pictures for extra days, but how can they run five-hour shows and gross any money? . . .

"If the leaders of this industry cannot correct such a devastating abuse and waste of good product, we would at least appreciate public utterances of condemnation of this policy on their part."

This paper will wait to see what steps Mr. Balaban is going to take to put an end to this Chicago abuse.

PICTURES NOW IN PRODUCTION

Columbia

"BEFORE I DIE," with Douglas Fairbanks, Jr., Thomas Mitchell and others, produced and directed by Ben Hecht. Good to very good.

"THUNDERING FRONTIER," with Charles Starrett. Program western.

Paramount

"ARISE MY LOVE," with Claudette Colbert. It depends on Miss Colbert's drawing powers. Perhaps good to very good.

"MOON OVER BURMA," with Dorothy Lamour, directed by Louis King. Perhaps one of those jungle stories, adopted for the purpose of showing Miss Lamour in her alluring jungle attire.

RKO (Radio) Pictures

"THEY KNEW WHAT THEY WANTED," with Carole Lombard, Charles Laughton, Harry Carey, Bill Gargan, Frank Fay, and others, produced by Eric Pommer and directed by Garson Kanin. This Sidney Howard play was produced by Paramount in 1928, under the title "Secret Hour," with Pola Negri; it turned out fairly good. It was again produced in 1930, by MGM, under the title, "A Lady to Love"; it turned out "terrible." The story deals with an Italian elderly man who married a young woman, and later on she had an affair with a young friend of the husband. The action of the play unfolds in the Italian's lowly house in his vineyard. Mr. Kanin, who is directing the present picture, is a fine director and may have altered the story radically. For this reason it is difficult to tell just now what the quality will be. But the cast is pretty formidable.

"WILDCAT BUS," with Fay Wray, produced by Cliff Reid. Program.

"TRIPLE JUSTICE," with George O'Brien. Western program.

"TOO MANY GIRLS," with Richard Carlson. Should do well where musicals are liked.

Twentieth Century-Fox

"DOWN ARGENTINE WAY," with Don Ameche, Betty Grable, Charlotte Greenwood, Cesar Romero, and others, directed by Irving Cummings. Fair to fairly good.

Universal

"A LITTLE BIT OF HEAVEN," with Gloria Jean, Robert Stack, Hugh Herbert, C. Aubrey Smith, Nan Grey, Butch and Buddy, Eugene Pallette, and Stuart Erwin, produced by Joe Pasternak. Gloria Jean is a fine little actress, but because she is not yet known to the public she has been surrounded with a formidable cast, and since a first-rank producer is looking after the story and its treatment the picture should turn out very good in entertaining quality. Exhibitors should do well to help make Gloria popular.

"ARGENTINE NIGHTS," with the Ritz brothers, the Andrews sisters, Constance Moore, and others. The drawing powers of the Ritz brothers should determine its box-office possibilities.

"SON OF ROARING DAN," with Johnny Mack Brown, Fuzzy Knight, and others, produced by Joseph Sanford. Program.

BOX-OFFICE PERFORMANCES

Paramount

1939-40

The previous box-office performances of Paramount pictures were published in the February 24 issue:

"The Cat and the Canary": Very Good-Fair.

"Rulers of the Sea": Good-Poor.

"Our Neighbors, the Carters": Fair-Poor.

"The Night on Nights": Fair-Poor.

"Llano Kid": Poor.

"All Women Have Secrets": Poor.

"Gulliver's Travels": Good-Fair.

"The Great Victor Herbert": Very Good-Fair.

"Emergency Squad": Fair-Poor.

"Geronimo": Fair.

"Remember the Night": Good-Fair.

"Santa Fe Marshal": Good-Poor.

"Parole Fixer": Poor.

"Light That Failed": Good-Fair.

"Sidewalks of London": Fair-Poor.

"Knights of the Range": Good-Poor.

"Seventeen": Fair.

"Showdown": Good-Poor.

"Women Without Names": Fair-Poor.

"Road to Singapore": Very Good.

"Farmer's Daughter": Fair.

"Adventure in Diamonds": Fair.

"Dr. Cyclops": Good-Fair.

"The Light of the Western Stars": Fair-Poor.

"French Without Tears": Fair-Poor.

"Buck Benny Rides Again": Very Good-Good.

"Opened By Mistake": Fair.

"Typhoon": Good-Fair.

"The Biscuit Eater": Fair.

"Those Were the Days": Fair-Poor.

"Hidden Gold": Good-Poor.

Forty-one pictures have so far been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Very Good, 1; Very Good-Good, 2; Very Good-Fair, 4; Very Good-Poor, 1; Good-Fair, 8; Good-Poor, 5; Fair, 7; Fair-Poor, 10; Poor, 3.

RKO

The previous box-office performances of RKO pictures were published in the February 24 issue:

1938-39

"Escape to Paradise": Poor.

1939-40

"Three Sons": Fair-Poor.

"Sued For Libel": Poor.

"Flying Deuces": Good-Poor.

"The Marshal of Mesa City": Good-Poor.

"Allegheny Uprising": Fair-Poor.

"Meet Dr. Christian": Fair-Poor.

"That's Right, You're Wrong": Excellent-Good.

"Reno": Fair-Poor.

"Two Thoroughbreds": Poor.

"The Hunchback of Notre Dame": Very Good-Fair.

"Legion of the Lawless": Good-Fair.

"Mexican Spitfire": Fair.

"Married and In Love": Fair-Poor.

"The Saint's Double Trouble": Fair-Poor.

"Marines Fly High": Fair-Poor.

"Vigil in the Night": Good-Fair.

"Swiss Family Robinson": Good-Fair.

"Pinocchio": Excellent-Fair.

"Little Orvie": Fair-Poor.

"Isle of Destiny": Poor.

"Millionaire Playboy": Fair-Poor.

"Primrose Path": Very Good-Good.

"Courageous Dr. Christian": Fair-Poor.

"Bullet Code": Good-Poor.

"Abe Lincoln in Illinois": Good-Poor.

"Curtain Call": Fair-Poor.

"Irene": Very Good-Good.

"Beyond Tomorrow": Fair-Poor.

"My Favorite Wife": Excellent-Good.

"You Can't Fool Your Wife": Fair-Poor.

"Bill of Divorcement": Fair.

"Saint Takes Over": Fair.

Thirty-five pictures have so far been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Good, 2; Excellent-Fair, 1; Very Good-Good, 2; Very Good-Fair, 2; Good-Fair, 3; Good-Poor, 4; Fair, 4; Fair-Poor, 14; Poor, 3.

IN TWO SECTIONS—SECTION TWO
HARRISON'S REPORTS

Vol. XXII

NEW YORK, N. Y., SATURDAY, JULY 6, 1940

No. 27

(Semi-Annual Index—First Half of 1940)

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And One Was Beautiful—MGM (69 min.)	59
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Beyond Tomorrow—RKO (84 min.)	59
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Convicted Woman—Columbia (66 min.)	35
Courageous Dr. Christian, The—RKO (65 min.)	50
Cowboys from Texas—Republic (57m.)	Not Reviewed
Crooked Road, The—Republic (65 min.)	79
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Danger on Wheels—Universal (60 min.)	11
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French Without Tears—Paramount (66 min.)	55
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Glamour Boy—RKO (See "Millionaire Playboy")	39
Grapes of Wrath, The—20th Century-Fox (127 min.)	19
Grandpa Goes to Town—Republic (66 min.)	67
Granny Get Your Gun—Warner Bros. (56 min.)	31
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Half a Sinner—Universal (59 min.)	55
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In Old Missouri—Republic (67 min.)	74
Invisible Man Returns, The—Universal (81 min.)	7
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Manhattan Heartbeat—20th Century-Fox (71 min.)	102
Man Who Wouldn't Talk, The—20th Century-Fox (72 min.)	10
Man With Nine Lives—Columbia (73 min.)	71
Marines Fly High, The—RKO (67 min.)	26
Men Without Souls—Columbia (60 min.)	83
Midnight Limited—Monogram (61 min.)	55
Millionaire Playboy—RKO (64 min.)	39
Money to Burn—Republic (66 min.)	3
Mortal Storm, The—MGM (100 min.)	98
Murder in the Air—First National (55 min.)	78
Murder on the Yukon—Monogram (58m.)	Not Reviewed
Music in My Heart—Columbia (69½ min.)	7
My Favorite Wife—RKO (88 min.)	74
My Little Chickadee—Universal (83 min.)	26
My Son Is Guilty—Columbia (62 min.)	11
My Son! My Son!—United Artists (117 min.)	42
Mysterious Mr. Reeder, The—Monogram (63 min.)	78
My Two Husbands—Columbia (See "Too Many Husbands")	47
Northwest Passage—MGM (124 min.)	30
Of Mice and Men—United Artists (105 min.)	11
Oh, Johnny, How You Can Love—Universal (63 min.)	7
One Million B.C.—United Artists (79 min.)	70
On Their Own—20th Century-Fox (63 min.)	67
Opened By Mistake—Paramount (66 min.)	78
Our Town—United Artists (90 min.)	87
Outside the Three-Mile Limit—Columbia (63 min.)	43
Over the Moon—United Artists (78 min.)	23
Parole Fixer—Paramount (57 min.)	26
Passport to Alcatraz—Columbia (59 min.)	102

Phantom Raiders—MGM (70 min.)	99
Pinocchio—RKO (87 min.)	27
Pioneer Days—Monogram (51 min.)	Not Reviewed
Pioneers of the Frontier—Columbia (58m.)	Not Reviewed
Pop Always Pays—RKO (66 min.)	103
Primrose Path—RKO (92 min.)	46
Queen of the Mob—Paramount (61 min.)	103
Rebecca—United Artists (129 min.)	54
Refugee, The—Republic (78 min.)	99
Remember the Night—Paramount (92 min.)	10
Rhythm of the Rio Grande—Mono. (53m.)	Not Reviewed
Road to Singapore, The—Paramount (84 min.)	39
Safari—Paramount (80 min.)	99
Saga of Death Valley—Republic (58m.)	Not Reviewed
Saint's Double Trouble, The—RKO (67 min.)	15
Saint Takes Over, The—RKO (69 min.)	70
Sandy Is a Lady—Universal (63 min.)	86
Santa Fe Marshal—Paramount (68m.)	Not Reviewed
Saps At Sea—United Artists (57 min.)	71
Saturday's Children—Warner Bros. (101 min.)	67
Send Another Coffin—United Artists (See "Slightly Honorable")	7
Seventeen—Paramount (76 min.)	38
Shooting High—20th Century-Fox (64 min.)	51
Shop Around the Corner, The—MGM (98 min.)	10
Showdown—Paramount (63 min.)	Not Reviewed
Sidewalks of London—Paramount (85 min.)	22
Ski Patrol—Universal (64 min.)	86
Slightly Honorable—United Artists (84 min.)	7
Small Town Lawyer—Republic (See "Main Street Lawyer")	175/39
Son of the Navy—Monogram (71 min.)	58
So This Is London—20th Century-Fox (84 min.)	75
South of the Border—Republic (71m.)	Not Reviewed
Spats to Spurs—MGM (See "Henry Goes Arizona")	203/39
Spirit of the People—RKO (See "Abe Lincoln in Illinois")	11
Star Dust—20th Century-Fox (84 min.)	58
Strange Cargo—MGM (113 min.)	42
Susan and God—MGM (116 min.)	95
Swanee River—20th Century-Fox (85 min.)	2
Swiss Family Robinson—RKO (93 min.)	27
Taming of the West—Columbia (55m.)	Not Reviewed
Tear Gas Squad—Warner Bros. (54 min.)	66
They Came by Night—20th Century-Fox (73½ min.)	43
Three Cheers for the Irish—First National (100 min.)	47
Those Were the Days—Paramount (74 min.)	82
Three Faces West—Republic (See "Refugee")	99
'Til We Meet Again—First National (98 min.)	63
Tomboy—Monogram (70 min.)	67
Tom Brown's School Days—RKO (81 min.)	102
Too Many Husbands—Columbia (84 min.)	47
Torpedo Raider—Monogram (See "Born For Glory")	123/1935
Torrid Zone—First National (87 min.)	78
Turnabout—United Artists (83 min.)	83
20 Mule Team—MGM (82 min.)	74
Twenty-One Days Together—Columbia (72 min.)	87
Two Fisted Rangers—Columbia (62m.)	Not Reviewed
Two Girls on Broadway—MGM (72 min.)	71
Typhoon—Paramount (71 min.)	75
Vigil in the Night—RKO (95 min.)	30
Village Barn Dance—Republic (71 min.)	26
Virginia City—Warner Bros. (121 min.)	50
Viva Cisco Kid—20th Century-Fox (70 min.)	51
Waterloo Bridge—MGM (108 min.)	83
Way of All Flesh—Paramount (85 min.)	90
We're in the Army Now—20th Century-Fox (See "Pack Up Your Troubles")	158/39
West of Carson City—Universal (55m.)	Not Reviewed
Wolf of New York, The—Republic (67 min.)	19
Women in War—Republic (73 min.)	87
Women Without Names—Paramount (62½ min.)	34
You Can't Fool Your Wife—RKO (68 min.)	82
Young As You Feel—20th Century-Fox (59 min.)	18
Young Tom Edison—MGM (85 min.)	34
Zanzibar—Universal (69 min.)	43

RELEASE SCHEDULE FOR FEATURES

Columbia Features

(729 Seventh Ave., New York, N. Y.)

1213 Man From Tumbleweeds—Star west. (59m.)	May 2
1029 Babies For Sale—Hudson-Ford	May 16
1111 Twenty-One Days Together—Leigh-Olivier	May 16
1023 Island of Doomed Men—Peter Lorre	May 20
1016 The Lone Wolf Meets a Lady—William	May 30
Mad Men of Europe—Gwenn-Maguire	June 3

1206 Texas Stagecoach—Starrett (59 min.)	June 6
1028 Passport to Alcatraz—Jack Holt	June 6
Girls of the Road—Dvorak-Lane (reset)	June 20
1214 The Return of Wild Bill—Elliott	June 27
Out West With the Peppers (Five Little Peppers Abroad)—Fellows	June 30
Military Academy—Kelly-Jordan-Searl	July 18
Blondie Has Servant Trouble (Blondie Beware)—Singleton-Lake (reset)	July 25
(more to come)	

First National Features

(321 W. 44th St., New York, N. Y.)

472 Murder in the Air—Reagan-Litel	June 1
473 A Fugitive From Justice—Pryor-Douglas	June 15
454 All This and Heaven Too—Davis-Boyer	June 29
467 The Man Who Talked Too Much—Brent	July 13
409 My Love Came Back—DeHavilland-Lynn	July 20
474 Ladies Must Live—Morris-Lane	July 27
(One more feature to come)	

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

38 The Stars Look Down—Redgrave-Lockwood	May 24
40 Phantom Raiders—Pigeon-Rice-Meek	May 31
39 Susan and God—Crawford-March (re.)	June 7
41 The Mortal Storm—Morgan-Sullivan	June 14
42 The Captain Is a Lady—Coburn-Bondi	June 21
31 New Moon—MacDonald-Eddy	June 28
43 Andy Hardy Meets Debutante—Rooney	July 5
44 Sporting Blood—Young-Stone-O'Sullivan	July 12
45 We Who Are Young—Turner-Shelton	July 19
46 Pride and Prejudice—Garson-Olivier	July 26
47 Gold Rush Maisie—Sothern-Bowman	Aug. 2
Boon Town—Gable-Tracy-Colbert-LaMarr	Aug. 9
(Three more features to come)	

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

3929 Sky Bandits—Newill (59 min.)	Apr. 15
3954 Pals of the Silver Sage—Ritter (52 min.)	Apr. 20
3926 Mysterious Mr. Reeder—Will Fyffe	Apr. 30
3964 Land of Six Guns—Jack Randall (54 min.)	May 2
3955 Cowboy From Sundown—Ritter (58 min.)	May 9
3965 Kid From Santa Fe—Randall (50 min.)	May 23
3966 Riders From Nowhere—Randall (54 min.)	May 30
3915 On the Spot (Amateur Detective)—Darro (62 min.)	June 11
3927 The Last Alarm—Young-MacDonald	June 25
3960 Wild Horse Range—Randall (51 min.)	June 25
The Golden Trail—Ritter	July 3
(“Queen of the Yukon” and “Ridin' the Trail” have been postponed)	
(more to come)	

Paramount Features

(1501 Broadway, New York, N. Y.)

3931 The Light of the Western Stars—Jory Sayers (65 min.)	Apr. 19
3930 French Without Tears—Milland-Drew	Apr. 26
3932 Buck Benny Rides Again—Benny-Rochester	May 3
3933 Opened By Mistake—Ruggles-Logan	May 10
3934 Typhoon—Lamour-Preston-Overman	May 17
3935 The Biscuit Eater—Billy Lee	May 24
3936 Those Were the Days—Holden-Granville	May 31
3958 Hidden Gold—William Boyd (60 min.)	June 7
3937 Safari—Carroll-Fairbanks, Jr.	June 14
3938 The Ghost Breakers (The Way of All Flesh)—Hope-Goddard	June 21
3939 Queen of the Mob—Yurka-Bellamy	June 28
3940 The Way of All Flesh—Tamiroff	July 5
3959 Stage Coach War—William Boyd (60 min.)	July 12
3941 Untamed—Milland-Morison-Tamiroff	July 26
3942 Golden Gloves—Denning-J. Cagney	Aug. 2
3943 Mystery Sea Raider—Wilcoxon-Landis	Aug. 9
3944 Comin' Round the Mountain—Burns	Aug. 16
3955 The Great McGinty—Donleavy-Angelus	Aug. 23
(End of 1939-40 Season)	

Republic Features

(1776 Broadway, New York, N. Y.)

943 Gaucho Serenade—Gene Autry (69 min.)	May 10
906 Gangs of Chicago—Nolan-Lane-Middleton	May 19
966 Rocky Mountain Rangers—3 Mesq. (58m.)	May 24
902 Women in War—Barrie-Janis-Knowles	June 6
907 Wagons Westward—Morris-Louise-Munson	June 19
908 Grand Old Opry—Weaver Bros.-Elviry	June 25
992 One Man's Law—Don. (Red) Barry (57m.)	June 29
955 Carson City Kid—Roy Rogers (57 min.)	July 1
903 Three Faces West—Gurie-Wayne	July 12

(more to come)

RKO Features

(1270 Sixth Ave., New York, N. Y.)

033 The Saint Takes Over—Sanders-Barrie June 7
084 Prairie Law—George O'Brien June 14
034 Pop Always Pays—Errol-O'Keefe June 21
035 Anne of Windy Poplars—Shirley-Ellison June 28
036 Doctor Christian Meets the Women—
Hersholt (68 min.) July 5
039 Cross-Country Romance—Raymond July 12
029 Tom Brown's School Days—Hardwicke July 19
037 Millionaires in Prison—L. Tracy July 26
(more to come)

Twentieth Century-Fox Features

(444 W. 56th St., New York, N. Y.)

045 Lillian Russell—Faye-Fonda-Ameche May 24
051 Girl in 313—Rice-Taylor-Valerie May 31
034 Earthbound—Baxter-Leeds-Bari June 7
047 Four Sons—Ameche-Hughes-Curtis June 14
048 Charlie Chan's Murder Cruise—Toler June 21
049 Lucky Cisco Kid—Romero-Hughes-Venable June 28
052 Sailor's Lady—Kelly-Hall-Davis July 5
046 Manhattan Heartbeat (Marriage in Transit)—
Sterling-Gilmore-Davis (re.) July 12
050 Maryland—Brennan-Bainter-Joyce-Payne July 19
(End of 1939-40 Season)

United Artists Features

(729 Seventh Ave., New York, N. Y.)

Our Town—Frank Craven-Martha Scott May 24
South of Pago Pago—McLaglen-Hall-Farmer July 4

Universal Features

(1250 Sixth Ave., New York, N. Y.)

4033 Enemy Agent—Cromwell-Vinson Apr. 19
4005 If I Had My Way—Crosby-Jean May 3
4031 Ski Patrol—Desti-Dorn May 10
4015 Alias the Deacon—Burns-Auer May 17
4029 La Conga Nights—Herbert-Moore May 31
4063 Bad Man From Red Butte—Brown (58m.) May 31
4036 Love, Honor and Oh Baby (No Exit)—
Ford-Adams-Woods June 7
4008 Sandy Is a Lady—Baby Sandy-Auer-Grey June 14
4037 I Can't Give You Anything But Love—
Crawford-Moran June 21
Private Affairs—Kelly-Young-Cummings July 5
4056 Hot Steel—Arlen-Devine (re.) July 12
4057 Black Diamonds—Arlen-Devine July 19
4064 Son of Roaring Dan—Brown July 26
4023 You're Not So Tough—Halop-Galli July 26
Diamond Frontier—McLaglen-Nagel Aug. 2
Boys From Syracuse—Jones-Ray Aug. 9
Hired Wife—Russell-Aherne-Bruce Aug. 16
(End of 1939-40 Season)

Beginning of 1940-41 Season

The Fugitive—Wynyard (pre-release) June 28

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

410 Saturday's Children—Garfield-Shirley May 11
405 Brother Orchid—Robinson-Sothern-Bogart June 8
424 Gambling on the High Seas—Morris June 22
(Four more features to come)

SHORT SUBJECT RELEASE SCHEDULE

Columbia—One Reel

1509 Greyhound and the Rabbit—Col. Rh. (7m.) Apr. 19
1806 Tomorrow's Stars—World of Sport (10m.) Apr. 19
1904 Social Security—Washington Par. (10m.) Apr. 26
1857 Screen Snapshots No. 7—(10m.) May 3
1557 Pleasurebound in Canada—Tours May 3
1705 Fish Follies—Phantasy (6m.) May 10
1807 Sport of Kings—World of Sport (10m.) May 24
1510 Egg Hunt—Color Rhapsody (7m.) May 31
1858 Screen Snapshots No. 8 June 7
1754 Barnyard Babies—Fables (7½m.) June 14
1558 In the Land of Pagodas—Tours June 14
1975 Odd Vacations—Cinescope June 16
1511 Ye Old Swap Shop—Color Rhapsody June 28
1808 Saving Strokes with Sam Snead—Sports June 28
1656 Community Sing No. 6—(10½m.) (re.) June 28
1905 The Archives—Washington Parade July 4
1859 Screen Snapshots No. 9 July 10
1755 Pooch Parade—Fables (6m.) July 19
1706 News Oddities—Phantasy (6m.) July 19
1809 Canvas Capers—Sports July 19
(more to come)

Columbia—Two Reels

1433 You're Next—All star comedy (17m.) May 3
1164 The Dragon Queen Threatens—Terry #4
(17 min.) May 3
1165 At the Mercy of a Mob—Terry #5 (17½m.) May 10
1434 South of the Boudoir—Chase (18m.) May 17
1166 The Scroll of Wealth—Terry #6 (19½m.) May 17
1167 Angry Waters—Terry #7 (17½m.) May 24
1168 The Tomb of Peril—Terry #8 (18½m.) May 31
1435 Boobs in the Woods—Clyde (16m.) May 31
1169 Jungle Hurricane—Terry #9 June 7
1170 Too Many Enemies—Terry #10 June 14
1407 Naughty But Nice—Stooges June 14
1171 Walls of Doom—Terry #11 June 21
1172 No Escape—Terry #12 June 28
1436 Taming of the Snood—Keaton (16m.) June 28
1173 Fatal Mistake—Terry #13 July 5
1174 Pyre of Death—Terry #14 July 12
1437 His Bridal Fright—Chase (16m.) July 12
1175 The Secret of the Temple—Terry #15 July 19
1408 How High Is Up—Stooges July 26
1438 Fireman Save My Choo-Choo—All star Aug. 9
(End of 2 reels for 1939-40 Season)

Metro-Goldwyn-Mayer—One Reel

S-108 Spots Before Your Eyes—P. Smith (10m.) May 4
T-61 Modern New Orleans—Traveltalk (8m.) May 11
M-79 Servant of Mankind—Miniatures (9m.) May 11
W-87 Swing Social—Cartoons (8m.) May 18
C-138 Bubbling Troubles—Our Gang (11m.) May 25
T-62 Suva, Pride of Fiji—Traveltalks (9m.) June 8
S-109 What's Your I.Q. —P. Smith (9m.) June 8
W-88 Tom Turkey—Cartoons (7m.) June 8
W-89 The Milky Way—Cartoons (8m.) June 22
K-124 A Way in the Wilderness—Pass. P. (10m.) June 22
S-110 Cat College—Pete Smith June 29
(more to come)

Metro-Goldwyn-Mayer—Two Reels

X-151 The Flag Speaks—Special (19m.) June 14
P-4 Women in Hiding—Crime Doesn't P. (22m.) June 22
(more to come)

Paramount—One Reel

B-92 Way Back When a Nag Was a Horse—
Stone Age (6½ min.) Mar. 8
A9-7 George Olsen and His Music—Head—
(10½ min.) Mar. 15
V9-7 Not So Dumb—Paragraphic (9½m.) Mar. 15
C9-3 Ants in the Plants—Color Classic (7m.) Mar. 15
R9-9 Two of a Kind—Sportlight (9m.) Mar. 22
E9-4 Stealin' Ain't Honest—Popeye (6m.) Mar. 22
L9-4 Unusual Occupations #4—(10m.) Mar. 29
K9-6 Argentina—Color Cruise (9m.) Apr. 5
E9-5 Me Feelins Is Hurt—Popeye (6m.) Apr. 12
R9-10 The Blue Streak—Sportlight (9m.) Apr. 19
A9-8 Have You Met Yvette—Headliner (10½m.) Apr. 26
B9-3 Granite Hotel—Stone Age (6m.) Apr. 26
J9-5 Popular Science #5—(10m.) May 3
B9-4 Way Back When a Night Club Was a Stick—
Stone Age (6 min.) May 10
V9-8 Television Preview—Paragraphic (9½m.) May 17
C9-4 A Kick in Time—Color Clas. cart. (7½m.) May 17
R9-11 Playmates From the Wild—Sport—(9½m.) May 17
E9-6 Onion Pacific—Popeye (6m.) May 24
B9-5 The Foul Ball Player—Stone Age (6m.) May 24
A9-9 Blue Barron and His Orchestra—Headliner
(10½ min.) (reset) May 31
L9-5 Unusual Occupations #5—(10m.) May 31
E9-7 Wimmin Is a Myskery—Popeye (6½m.) June 7
R9-12 Cradle of Champions—Sportlight (9m.) June 14
B9-6 The Ugly Dino—Stone Age cart. (6m.) June 14
E9-8 Nurse-Mates—Popeye cart. (6½m.) June 21
K9-7 Pacific Paradise—Color Cruise June 21
V9-9 Dangerous Dollars—Paragraphic June 28
J9-6 Popular Science #6—(10m.) June 28
B9-7 Wedding Belts—Stone Age cart. (6m.) July 5
R9-13 Siuk or Swim—Sportlight (9m.) July 12
E9-9 Fightin' Pals—Popeye cartoon (7m.) July 12
A9-10 Pinky Tomlin and His Orchestra—Head July 19
C9-5 Snubbed by a Snob—Color Classic July 19
V9-10 Not Yet Titled—Paragraphic July 26
(more to come)

RKO—One Reel

04210 Information Please—(11m.) May 17
04610 Stray Lamb—Reelisms (8m.) May 24
04106 Mr. Duck Steps Out—Disney (8m.) June 7
04311 Hurdle Hoppers—Sportsscopes (9m.) June 7
04211 Information Please—(10m.) June 14
04611 Streamlined—Reelisms (9m.) June 21
04107 Bone Trouble—Disney (9m.) June 28
04312 Not Yet Titled—Sportsscopes July 5
04212 Information Please July 12
04108 Put-Put Trouble—Disney (7m.) July 19
(more to come)

RKO—Two Reels

03110 March of Time No. 10—(19m.) May 10
03405 'Taint Legal—Kennedy (16m.) May 24
03111 March of Time No. 11—(18m.) June 7
03504 Corralling a School Marm—Whit. (20m.) June 14
03205 Goodness: A Ghost—Landgon (16m.) July 5
03112 March of Time No. 12 July 5
03704 Bested by a Beard—Errol (20m.) July 26
03113 March of Time No. 13 Aug. 2
(End of 2 reelers for 1939-40 Season)

Twentieth Century-Fox—One Reel

0513 Swiss Ski Yodelers—Terry-Toon (7m.) May 17
0108 Isles of the East—Lowell Thomas (9m.) May 24
0559 Catnip Capers—Terry-Toon (6½m.) May 31
0204 Sanctuary of the Seals—Adv. News
Cameraman (9 min.) June 7
0514 Professor Offkeyski—Terry-Toon (6½m.) June 14
0604 Fashion Forecast No. 8 June 21
0515 Rover's Rescue—Terry-Toon (6½m.) June 28
0404 Cheerio, My Dears—Lew Lehr (9m.) July 5
0516 Rupert the Runt—Terry-Toon (6½m.) July 12
0306 Action on Ice—Sports (9m.) July 19
0517 Love in a Cottage—Terry-Toon July 28
(End of 1939-40 Season)

Universal—One Reel

4383 Stranger Than Fiction #78—(9m.) June 10
4363 Going Places with Thomas #78—(8½m.) June 17
4384 Stranger Than Fiction #79—(9½m.) July 8
4364 Going Places with Thomas #79—(9m.) July 15
4385 Stranger Than Fiction #80 Aug. 5
4365 Going Places with Thomas #80 Aug. 12
(End of 1939-40 Season)

Beginning of 1940-41 Season

5261 Jolly Little Elves—cart. reissue (8½m.) June 3
5262 Three Lazy Mice—cart. reissue (9m.) June 24
5263 Springtime Serenade—cart. reissue (7m.) July 10
5264 Candyland—cartoon reissue (8m.) July 29

Universal—Two Reels

4229 Swingin' in the Barn—musical (19m.) May 15
4887 The Land of the Dead—Gordon #7 (19m.) May 21
4888 The Fiery Abyss—Gordon #8 (17m.) May 28
4889 The Pool of Peril—Gordon #9 (17½m.) June 4
4890 The Death Mist—Gordon #10 (19m.) June 11
4891 Stark Treachery—Gordon #11 (20m.) June 18
4230 Naughty Nineties—musical (18m.) June 19
4892 Doom of the Dictator—Gordon #12 (20m.) June 25
4231 Honolulu Bound—musical July 17
(2 more musicals to come)

Beginning of 1940-41 Season

5581 Redskins Ride Again—Winners of the West
No. 1 (20 min.) July 2
5582 The Wreck at the River Gorge—
West No. 2 (21 min.) July 9
5583 The Bridge of Disaster—West No. 3 (21m.) July 16
5584 Trapped by Redskins—West No. 4 (18m.) July 23
5585 Death Strikes the Trail—West No. 5 (18m.) July 30

Vitaphone—One Reel

5611 Slap Happy Pappy—L. Tunes (7m.) Apr. 13
5704 No Parking—Varieties (10m.) Apr. 13
5316 The Bears' Tale—Mer. Mel. (9m.) Apr. 13
5612 You Ought to Be in Pictures—L. T. (9m.) Apr. 18
5613 Porky's Poor Fish—Looney Tunes (6½m.) Apr. 27
5317 Hardship of Miles Standish—Merrie
Melodies (8½ min.) Apr. 27
5318 Sniffles Takes a Trip—Mer. Mel. (8m.) May 11
5407 Gun Dog's Life—Color Parade (9m.) May 11
5705 Radio and Relatives—Varieties (10m.) May 18
5319 Gander at Mother Goose—Mer. Mel. (6m.) May 25
5008 Larry Clinton & Orch.—Mer. Mast. (10m.) May 25
5320 Tom Thumb in Trouble—Mer. Mel. (8m.) June 8
5614 The Chewin' Bruin—Looney Tunes (6½m.) June 8
5321 Circus Today—Mer. Mel. (9m.) June 22
5706 All Girl Revue—Vit. Varieties (8m.) June 22

5408 Mechanix Illustrated No. 4—(9m.) June 29
5509 Ozzie Nelson & Orch.—Mer. Mast. (9m.) June 29
5322 Little Blabbermouth—Mer. Mel. (8m.) July 6
5615 Porky's Baseball Broadcast—L. T. (7m.) July 6
5323 The Egg Collector—Mer. Mel. (8m.) July 20
5409 The Valley—Color Parade July 20
5324 A Wild Hare—Mer. Melodies July 27
5510 Woody Herman & Orch.—Mer. Masters July 27
5325 Ghost Wanted—Merrie Melodies Aug. 10
5410 Movie Dog Stars—Color Parade Aug. 17
5326 Ceiling Hero—Merrie Melodies Aug. 24
5616 Patient Porky—Looney Tunes Aug. 24

(End of 1939-40 Season)

Vitaphone—Two Reels

5006 Cinderella's Feller—Technicolor (19m.) May 4
5108 Public Jitterbug No. 1—Bway, Brev. (19m.) May 4
5109 Spills For Thrills—Bway, Brev. (18m.) June 15
5007 Pony Express Days—Technicolor (19m.) July 13
5110 Young America Flies—Bway, Brevities July 13
5008 Flag of Humanity—Technicolor Aug. 31

(End of 1939-40 Season)

NEWSWEEKLY NEW YORK RELEASE DATES

Paramount News

82 Wednesday June 12
83 Saturday June 15
84 Wednesday June 19
85 Saturday June 22
86 Wednesday June 26
87 Saturday June 29
88 Wednesday July 3
89 Saturday July 6
90 Wednesday July 10
91 Saturday July 13
92 Wednesday July 17
93 Saturday July 20
94 Wednesday July 24
95 Saturday July 27
96 Wednesday July 31
97 Saturday Aug. 3
98 Wednesday Aug. 7
99 Saturday Aug. 10
100 Wednesday Aug. 14
101 Saturday Aug. 17
102 Wednesday Aug. 21
103 Saturday Aug. 24
104 Wednesday Aug. 28
(End of 1939-40 Season)

Universal

889 Wednesday July 3
890 Friday July 5
891 Wednesday July 10
892 Friday July 12
893 Wednesday July 17
894 Friday July 19
895 Wednesday July 24
896 Friday July 26
897 Wednesday July 31
898 Friday Aug. 2
899 Wednesday Aug. 7
900 Friday Aug. 9
901 Wednesday Aug. 14
902 Friday Aug. 16
903 Wednesday Aug. 21
904 Friday Aug. 23

Metrotone News

283 Tuesday July 2
284 Thursday July 4
285 Tuesday July 9
286 Thursday July 11
287 Tuesday July 16
288 Thursday July 18
289 Tuesday July 23
290 Thursday July 25
291 Tuesday July 30
292 Thursday Aug. 1
293 Tuesday Aug. 6
294 Thursday Aug. 8
295 Tuesday Aug. 13
296 Thursday Aug. 15
297 Tuesday Aug. 20
298 Thursday Aug. 22
299 Tuesday Aug. 27
300 Thursday Aug. 29
(303 will end season)

Fox Movietone

79 Wednesday June 12
80 Saturday June 15
81 Wednesday June 19
82 Saturday June 22
83 Wednesday June 26
84 Saturday June 29
85 Wednesday July 3
86 Saturday July 6
87 Wednesday July 10
88 Saturday July 13
89 Wednesday July 17
90 Saturday July 20
91 Wednesday July 24
92 Saturday July 27
93 Wednesday July 31
94 Saturday Aug. 3
95 Wednesday Aug. 7
96 Saturday Aug. 10
97 Wednesday Aug. 14
98 Saturday Aug. 17
99 Wednesday Aug. 21
100 Saturday Aug. 24
101 Wednesday Aug. 28
(104 will end season)

Pathé News

052100 Wed. (E.) July 3
051101 Sat. (O.) July 6
052102 Wed. (E.) July 10
051103 Sat. (O.) July 13
052104 Wed. (E.) July 17
051105 Sat. (O.) July 20
052106 Wed. (E.) July 24
051107 Sat. (O.) July 27
052108 Wed. (E.) July 31
051109 Sat. (O.) Aug. 3
052110 Wed. (E.) Aug. 7
051111 Sat. (O.) Aug. 10
052112 Wed. (E.) Aug. 14
051113 Sat. (O.) Aug. 17
052114 Wed. (E.) Aug. 21
051115 Sat. (O.) Aug. 24
052116 Wed. (E.) Aug. 28
(End of 1939-40 Season)

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No. 28

A CASE WHERE THE INTERESTS OF THE PUBLIC SHOULD BE CONSIDERED

The management of the Music Hall, where the Warner Bros. superspecial "All This and Heaven Too," is now playing, has been compelled to open the theatre's doors at 9:45 a.m.; the feature picture is so long (2 hours and 20 minutes) that Mr. Van Schmus had to open the doors as early as this in order that he might be enabled to give the regular number of shows—four. Had the picture's running time been even two hours—a length which should have been the limit of all features with the exception of a picture such as "Gone With the Wind"—about one and one-half hours could have been saved. That would make the opening time of this theatre 11:15, instead of 9:45.

But this is not all: because of the extraordinary number of people this picture is attracting, some people are compelled to wait in line three hours before seats are emptied for them. And by the time they find a seat, they become pretty irritable.

The problem for the Music Hall is not as great as it will be for theatres that give two shows a night. When must these theatres open their doors? At least at six o'clock, and start the picture not later than six thirty or six forty-five, so that two full shows may be given.

Starting the picture at six thirty, or even six forty-five, however, is not very convenient for the public, for it is between six thirty and seven o'clock that most people have their dinners. To enable them to be at the theatre when the picture starts, then, they will be compelled, either to gulp their food down or go without dinner. And such a condition does not go for creating good will.

Gradwell Sears should consider shortening the feature to a maximum two hours' running time. It is the opinion of this writer that the picture, not only will not be hurt by being so shortened, but will be helped, and will give an opportunity to those who show the program continuously to add an extra show without inconveniencing anybody. In accepting this recommendation, Mr. Sears will be rendering a service, not only to his company, as well as to the exhibitors, but also to the public.

Incidentally, this picture once again demonstrates that, regardless of the prevailing business conditions, people will find money in some way to go to see a good picture.

Incidentally, too, HARRISON'S REPORTS wishes to say that Gradwell Sears' decision to let the Music Hall have this picture has been extremely wise, for this theatre adds to a picture prestige that means actual dollars. The Music Hall is not a theatre in the ordinary sense of the word; it is an institution.

ECONOMY THAT DOESN'T SAVE

Under the heading, "The Print Jam Reaches the Theatres," Jay Emanuel, editor and publisher of

The Exhibitor, says in the editorial that appeared in the July 3 issue, partly as follows:

"Exhibitors, especially the smaller runs, are finding out that the print shortage predicted a few months ago is now a reality . . . there has been a tightening of prints in all sectors by all companies.

" . . . The desire of the companies is to save money. The more prints, the more the money, and over a period of a year it becomes a big item. . . ."

Reducing the number of prints may save the film companies considerable money during the year, but what it does to the subsequent run exhibitors is "nobody's business"; the picture-going public of the small towns want to see the pictures almost as soon as they are seen by the picture-going public of the big cities. And when they are compelled to wait, because of print shortage, they lose patience, with the result that, when the picture does come around, they have lost interest in it.

Economy from reduced number of prints is poor economy; the best economy is that which will come from choosing better stories, thus eliminating most of the "flops."

LET THE PARAMOUNT MOTTO BE THE ENTIRE INDUSTRY'S MOTTO

The page advertisements that were inserted in recent trade paper issues by Paramount contained a message in the form of an advertisement; it was the following:

"The World's got one 'whale' of a headache. Thank heaven the U. S. can still smile; our job is to keep America smiling. Let the professors give the dry lectures; we'll continue to buck the tide of heavy stuff with 'Buck, Bing and Bob.' We'll duck the significant drama writers. We'll give the girls heart throbs—we'll give the gents action. We'll give 'em what they need and want—music and love and laughter."

That is what will bring people back to the theatre—music, love and laughter.

Let every one in the picture business make this message a motto—the entire industry's motto.

GIVE SOL LESSER A BREAK

Sol Lesser deserves great credit for having produced a picture such as "Our Town." The Music Hall held it over a second week and, from the remarks the patrons were heard to make, it was a foregone conclusion that the picture would go over.

Because the story dealt with dead people, this writer had a doubt whether the picture would be accepted; he has seen so many excellent pictures in which either all or some of the characters were dead making a failure that he felt that, although he was sure that the picture would turn out highly artistic, it might not go over so well at the box office.

But Mr. Lesser had the foresight of removing the

(Continued on last page)

"Untamed" with Ray Milland, Patricia Morison and Akim Tamiroff

(Paramount, July 26; time, 81 min.)

Just fair. It is a remake of "Mantrap," produced by Paramount in 1926, with Clara Bow as the star. The earlier version was distinguished by the amusing performance of Clara Bow in the part of a flirt. But changes have been made, with the result that "Untamed" is just another triangle drama; it has to depend on scenic background and technicolor photography to be put across. The three leading players are compelled to struggle with ordinary material and trite dialogue; it is not entirely their fault that they fail to make much of an impression. Technically the picture can be recommended; for instance, the scenes that show hero and heroine struggling through the woods during a terrific snowstorm are extremely realistic:—

Ray Milland, a brilliant young surgeon, pays more attention to having a good time and to drinking than he does to his work, with the result that he suffers a complete breakdown. The doctors warn his pal (William Frawley) that, unless Milland lived a clean life in the open spaces, he would not get well. Frawley takes him to the Canadian woodland country where they live in tents and, under the guidance of Akim Tamiroff, do some shooting. Milland is injured in an encounter with a bear, and Tamiroff decides to take him back to the village so that he could be nursed back to health by Tamiroff's wife (Patricia Morison). Tamiroff then returns to Frawley. Milland and Miss Morison soon fall in love with each other. This is noticed by the gossipy village women. When the village doctor dies, Milland takes his place. Realizing that his love for Miss Morison would bring trouble, Milland decides to leave. On the day set for his departure, an epidemic breaks out, compelling him to stay. He telephones a government station for a serum, but when the man fails to arrive, Milland goes out in a blinding snowstorm in search of him. Miss Morison, frantic that Milland might die, goes after him. They find the messenger dead, but the serum safe. They try to get back to the village but in vain and so seek shelter in an abandoned cabin. Tamiroff, who had returned to the village and had been led to believe that they had run off together, sets out after them to kill them. Learning about the serum, he forgives them. They all start back but lose the serum on the way. Tamiroff urges them to continue on while he went back for the lost package. He finds it; he gets back in the sleigh, but by the time it reaches the village he is dead. The serum stops the epidemic. Milland decides to remain as the village doctor, and eventually he and Miss Morison are united.

The plot was adapted from the story by Sinclair Lewis. Frederick Hazlitt Brennan and Frank Butler wrote the screen play; George Archainbaud directed it, and Paul Jones produced it. In the cast are Jane Darwell, Esther Dale, J. M. Kerrigan, Eily Malyon, and others.

Suitability, Class A.

"Andy Hardy Meets Debutante" with Mickey Rooney, Judy Garland and Lewis Stone

(MGM, July 5; time, 87 min.)

Considering the popularity of Mickey Rooney and Judy Garland, and of the "Hardy Family" series, this picture should do very well. The story is, however, a little less amusing than some of the others in the series, and the action is at times somewhat slow-moving. Another drawback is that throughout "Andy" goes around with a long face, bemoaning his fate. But there are several extremely amusing situations, and "Andy's" predicaments are the cause for hearty laughter. The situation in which he orders a dinner at a fashionable night club, without realizing how expensive it would be, is very comical. Judy Garland puts over two song numbers effectively:—

Mickey (Andy Hardy), from photographs he had seen of Diana Lewis, New York's most popular debutante, imagines himself to be in love with her. When he is teased by his pals (Ann Rutherford and George Breakston), he claims to know her personally, and boasts that if he were in New York Miss Lewis would pose for a picture with him. To his sorrow, his father (Lewis Stone) informs the family that he had to go to New York on a legal matter and that he would take the family with him. Mickey tries to get out of going, but in vain. Ann and George, not believing Mickey's story, insist that the next issue of their school paper would be devoted to his New York visit, stating also that they expected a picture of him with Miss Lewis; thus they hoped to humiliate him. In New York, Mickey vainly attempts to meet Miss Lewis, until he learns that Judy, daughter of old family friends, knew Miss Lewis. Judy arranges for Mickey to be present at Miss Lewis' debut; and there she tells Miss Lewis all about Mickey's troubles.

Miss Lewis poses with Mickey, thus making it possible for him to go back home as a victor. Mickey, realizing that he had been wrong in considering Judy just a "kid," promises to return to her some day.

Annalee Whitmore and Thomas Seller wrote the screen play, and George B. Seitz directed it. In the cast are Cecilia Parker, Fay Holden, Sara Haden, Addison Richards, Cy Kendall, and others.

Suitability, Class A.

"Sailor's Lady" with Nancy Kelly, Jon Hall and Joan Davis

(20th Century-Fox, July 5; time, 66 min.)

Fair program entertainment. It combines comedy with romance and a little melodrama; and, although the story is weak, it serves well enough as an hour's light entertainment. Joan Davis and Wally Vernon provoke laughter at each appearance by their comedy antics. For women, there is the added attraction of "Skipper," a cute baby, around whom the action centers. The romance is routine:—

Jon Hall, a sailor, is annoyed when he learns that his girl friend (Nancy Kelly) intended adopting the baby of a couple who had met with death in an accident. Hall's pal (Dana Andrews) feels that Hall was making a mistake in marrying and tries many tricks to make him change his mind. Knowing that the adoption depended on the impression she made with Mary Nash, an official, Miss Kelly plans a party; but Andrews sees to it that everything goes wrong, compelling Miss Nash to leave in disgust. Miss Kelly and Hall quarrel. Larry Crabbe, another sailor in love with Miss Kelly, begs her to marry him, promising to provide a good home for the baby. Miss Kelly decides to do so when Hall returns. The two rivals meet and engage in a terrific fight, which is seen by Miss Nash. Knowing that the baby would be taken from her, Miss Kelly hides the baby on Hall's ship just as it was to leave for battle practice. His presence is discovered; this causes an upheaval. Hall and his pals are assigned to care for the baby. Eventually everything is explained, and by the time the fleet returns the baby is the pet of the Navy. Miss Kelly and Hall patch up their quarrels and marry; and they finally obtain legal custody of the baby.

Frank Wead wrote the story, and Frederick Hazlitt Brennan, Lou Breslow, and Owen Francis, the screen play; Allan Dwan directed it, and Sol M. Wurtzel produced it. In the cast are Katharine Aldridge, Harry Shannon, Bruce Hampton, and Charles D. Brown.

Suitability, Class A.

"Millionaires In Prison" with Lee Tracy

(RKO, July 26; time, 63½ min.)

A fair program prison picture. It is more comical than melodramatic. The story, which is highly far-fetched, does not offer much appeal to women; and, since most of the action takes place in the prison, it lacks glamour. Besides, except for two brief appearances of the heroine, all the characters are men. On occasion, it is amusing, mainly because of the characterizations of Raymond Walburn and Thurston Hall, two imprisoned millionaires, who at times forget that they are just prisoners:—

Truman Bradley, a young millionaire doctor, is sentenced to prison on a charge of having run down a man while driving in a drunken condition. His sweetheart (Linda Hayes) promises to wait for him. On the day he is sent to prison, four other millionaires are sent there—two (Walburn and Hall) because of their stupidity in becoming involved in a crooked deal, and two (Chester Clute and Morgan Conway), because they were crooked stock brokers. Once they arrive in prison they are warned to make friends with Lee Tracy, a convict, who was respected and feared by the other convicts. Tracy sets Bradley right; he encourages him to work in the prison hospital; then, with Clute and Conway, enters into a scheme leading them to believe that he would help them fleece the prisoners. But in the end, he turns on the two men and forces them to make good their promises to the prisoners. Bradley is encouraged to work on an experiment by the prison doctor. Tracy, by threatening Walburn and Hall, obtains from them enough money to carry on the experiment. Four prisoners volunteer to have Bradley inject them; the experiment works and Bradley is acclaimed by the press. The Medical Association reinstates him. Although Bradley is given an opportunity to obtain a parole, he speaks up for Tracy, winning for him a parole.

Martin Mooney wrote the story, and Lynn Root and Frank Fenton, the screen play; Ray McCarey, directed it, and Howard Benedict produced it. In the cast are Virginia Vale, Cliff Edwards, Paul Guilfoyle, and others.

Suitability, Class A.

ADVERTISING IN SHORTS

An exhibitor writes:

"Dear Mr. Harrison:

"I see nothing in your reports about the advertising material that is put in the shorts, of all companies more or less.

"Several of the Paramount shorts lately carried advertising and the public is taking notice and are complaining against the practice. For instance, 'Ants in the Plants' advertised Aunt Jemima Pancake Flour, and last night we showed 'Females Is Fickle'; it contains advertisements for three different articles."

HARRISON'S REPORTS refers this matter to the American Newspaper Association for action.

"Maryland" with Walter Brennan, Fay Bainter, Brenda Joyce and John Payne

(20th Century-Fox, July 19; time, 90 min.)

Despite the beautiful technicolor photography, lavish settings, and good performances, "Maryland" is just another horse picture, for the story is weak. It fails to come up to "Kentucky," which, moreover, had a better chance at the box-office because of Loretta Young. Only horse-lovers should enjoy it, for it lacks thrills for others. There is some comedy and a pleasant romance:

Fay Bainter and her wealthy husband (Sidney Blackmer) are both mad about horses and riding. Their estate in Maryland is the scene of hunts and good cheer. But when Blackmer is thrown and killed during a hunt, Miss Bainter orders her trainer (Walter Brennan) to get rid of all the horses and to shoot the horse that had thrown Blackmer. Brennan refuses to kill the horse, preferring instead to leave the estate. Miss Bainter orders Ben Carter, the colored stable groom, to shoot the horse; she did not want her son ever to grow fond of horses. But when the son (John Payne) grows up, he shows a keen interest in horses. He visits Brennan, who lived nearby with his granddaughter (Brenda Joyce), and shows Brennan how well he could ride. He promises to ride Brennan's entry in the famous Maryland Hunt classic. Miss Bainter's pleas are of no avail; he refuses to go back on his word. It is then that Brennan learns from Carter that he had not shot the horse as Miss Bainter had ordered, but that he had hidden her and cared for her all these years, and that the horse that Brennan was racing was out of Miss Bainter's horse and, therefore, belonged to her. Brennan pleads with Miss Bainter to sell him the horse but she refuses. Brennan goes to court and wins custody of the horse on the day of the race. Miss Bainter rushes to the track. Her old love for horses is revived and she cheers her son on to victory. Payne and Miss Joyce plan to marry.

Ethel Hill and Jack Andrews wrote the original screen play, Henry King directed it, and Gene Markey produced it. In the cast are Charlie Ruggles, Hattie McDaniel, Marjorie Weaver, Paul Hervey, and others.

Suitability, Class A.

"You're Not So Tough" with Billy Halop and Nan Grey

(Universal, July 26; time, 71 min.)

Fair. The "Dead End Kids" go through their regular routine of being tough, and in so doing they manage at times to provoke laughter. Occasionally one becomes tired of their often repeated antics. Billy Halop, the leader of the gang, represents a character who stoops to unethical procedure in order to obtain money without working for it; but his eventual regeneration pleases the spectator. The most engaging character is that played by Rosina Galli, a kindly woman, whose sympathy went to the under-privileged. There is a romance:

Billy Halop and his gang, arrested on a charge of vagrancy, are told by the Sheriff that, if they were willing to work, there were jobs available on a ranch owned by Miss Galli, a woman noted for her charitable nature and for the good wages she paid her help. Halop, accompanied by one of the boys, goes there and, when he learns that Miss Galli had been searching for her son, lost fifteen years ago, makes up his mind to lead Miss Galli to believe that he was her long lost son. She soon believes that he was her son and takes him into her home, lavishing him with love and money. The Sheriff is wise to Halop's trick and plans to tell Miss Galli of it, but Halop pleads with him to give him a chance, bringing out the fact that he had brought happiness to Miss Galli. Nan Grey, who worked for Miss Galli, suspects Halop of having ulterior motives, and warns him to be careful; nevertheless, she herself becomes interested in him. When a trucking concern refuses to carry Miss Galli's

produce on the ground that she was demoralizing workers by paying them too much, Halop outwits the big concerns, and manages to get the produce by. Thus he is reformed. Miss Galli admits to the Sheriff that she knew Halop was not her son, but that she loved him and would treat him as her own. Halop and Miss Grey plan to marry.

Maxwell Aley wrote the story, and Arthur T. Horman, the screen play; Joe May directed it, and Ken Goldsmith produced it. In the cast are Henry Armetta, Huntz Hall, Gabriel Dell, Eddy Waller, and others.

Suitability, Class A.

"Grand Old 'Opry" with the Weaver Brothers, Elviry and Allan Lane

(Republic, June 25; time, 67 min.)

Where the Weaver Brothers and Elviry are popular this picture should go over, for they go through all their tricks and are joined by other hill-billy entertainers who have appeared on radio programs. The story is lightweight:

John Hartley, a newspaper reporter, suspects foul play when the Governor of his state is accidentally shot and killed during a hunting trip. He suspects Allan Lane, henchman for Henry Kolker, powerful newspaper reporter, of having killed the governor, for he knew that the victim had been in favor of a farm bill Kolker had opposed. Scully, while speeding to meet the new governor who was in his favor, is arrested by one of the Weavers; later the governor himself is arrested. The Weavers, knowing that Scully and the governor were against the farm bill, put the two men in jail on charges of reckless driving. The governor attempts to broadcast his speech against the farm bill from jail, but the Weaver Brothers and Elviry plan a party, at which the guests make so much noise that the governor is unable to go on with the speech. Eventually Abner Weaver is urged to run as governor against the crooked political group. Lane pretends to work for him but really tries to make him appear the fool. Realizing that Abner was becoming popular, Kolker and Lane frame him on charges of having attempted to attack a young girl in a hotel room. But Hartley, with the help of police officials, frames Lane into confessing both the frameup and the murder of the former governor. Abner is freed and is elected.

Dorrell and Stuart McGowan wrote the original screen play; Frank McDonald directed it, and Armand Schaefer produced it. In the cast are Lois Ranson, Loretta Weaver, Purnell Pratt, and others.

Suitability, Class A.

"Dr. Christian Meets the Women" with Jean Hersholt, Dorothy Lovett and Frank Albertson

(RKO, July 5; time, 66 min.)

Like the other "Christian" pictures, this is a fairly entertaining program picture, suitable mostly for neighborhood theatres. It is a combination drama and slapstick, revolving around a subject that should be of interest to women—that of the present diet craze; it is shown up. A pleasant romance is worked into the plot; and there is plentiful comedy:

Frank Albertson arrives in town as the advance publicity agent for Rod LaRocque, a so-called "professor," a "phony," who lectured on dieting. Albertson makes the acquaintance of Marilyn Merrick, whose mother (Lelah Taylor) was the president of the women's club. Miss Taylor expresses joy at the idea of having LaRocque visit their town, for she, like many other middle-aged women, dreamed of having a slim figure again. She insists that LaRocque live at her home during his visit. Her husband (Edgar Kennedy), who was a hearty eater, is enraged when he, too, is compelled to eat the diet meals. Things become so bad that he is unable to control his temper and orders LaRocque to leave. But his daughter and wife still continue the lecture courses, the exercise classes, and the diet, until the daughter becomes very ill. It is then that Miss Taylor realizes how foolish she had been; she begs Jean Hersholt (Dr. Christian) to take charge of the case, apologizing for ever having doubted his warnings. Hersholt, realizing that Miss Merrick was very low, enlists Albertson's aid for a blood transfusion; he is happy when she shows signs of renewed energy. Hersholt, having analyzed the pills given by LaRocque, and having found them containing a drug, turns the information over to the police so that LaRocque might no longer be able to practice his racket. Albertson and Miss Merrick marry.

Marion Orth wrote the original screen play, William McGann directed it, and William Stephens produced it. In the cast are Maude Eburn, Veda Ann Borg, William Gould, and others.

Suitability, Class A.

very feature that has made so many pictures of this type failures; he dealt with the dead people in a dream—the heroine's dream—and the heroine lives, instead of dying, as is the case with the stage play upon which the picture has been founded: the heroine, while at childbirth, dreamed that she had died, but when the labor was over she lived, to the joy, not only of the characters in the picture, but also of the people who have been seeing the picture. The result is that Mr. Lesser made a far better picture than he would have made had he not altered the plot.

The picture is doing very well in high-class communities.

PICTURES NOW IN PRODUCTION

Columbia

"THE WIZARD OF DEATH," with Boris Karloff. Evidently the regular horror stuff.

Universal

"HIRED WIFE," with Rosalind Russell, Brian Aherne, Virginia Bruce, Robert Benchley and others. Competent cast, but no story facts available.

These are the only two pictures started the week ending June 28.

BOX OFFICE PERFORMANCES

Twentieth Century-Fox
1939-1940

The previous box-office performances of Twentieth Century-Fox pictures were published in the March 2 issue.

"Hollywood Cavalcade": Very Good-Fair.
"Pack Up Your Troubles": Good-Poor.
"Shipyard Sally": Poor.
"20,000 Men A Year": Fair-Poor.
"Heaven with a Barbed Wire Fence": Poor.
"Drums Along the Mohawk": Very Good-Good.
"The Jones Family in Too Busy to Work": Fair-Poor.
"Daytime Wife": Good-Fair.
"Charlie Chan in City in Darkness": Fair-Poor.
"Inspector Hornleigh on Holiday": Poor.
"Barricade": Fair-Poor.
"The Honeymoon's Over": Fair-Poor.
"Everything Happens At Night": Good-Fair.
"The Cisco Kid and the Lady": Fair.
"Swanee River": Excellent-Good.
"City of Chance": Good-Poor.
"He Married His Wife": Fair-Poor.
"High School": Fair-Poor.
"The Man Who Wouldn't Talk": Fair-Poor.
"Little Old New York": Good.
"The Jones Family in Young as You Feel": Fair-Poor.
"They Came By Night": Fair-Poor.
"Charlie Chan in Panama": Fair-Poor.
"The Grapes of Wrath": Very Good.
"The Blue Bird": Fair.
"Free, Blonde and 21": Fair-Poor.
"Star Dust": Fair.
"Viva Cisco Kid": Fair.
"Johnny Apollo": Very Good-Good.
"Shooting High": Fair-Poor.
"So This Is London": Fair-Poor.
"I Was An Adventuress": Fair-Poor.
"The Jones Family in On Their Own": Fair-Poor.
"Lillian Russell": Excellent-Good.

Forty-four pictures have so far been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 2; Excellent-Good, 2; Very Good, 1; Very Good-Good, 2; Very Good-Fair, 2; Good, 1; Good-Fair, 3; Good-Poor, 2; Fair, 7; Fair-Poor, 19; Poor, 3.

United Artists

1939-1940

The previous box-office performances of United Artists pictures were published March 2.

"The Housekeeper's Daughter": Fair.
"Slightly Honorable": Fair-Poor.
"Raffles": Fair.
"Of Mice and Men": Good-Fair.
"The Lion Has Wings": Fair-Poor.
"A Chump at Oxford": Good-Poor.
"House Across the Bay": Good-Fair.
"My Son, My Son": Very Good-Good.
"Over the Moon": Fair-Poor.
"One Million B.C.": Fair-Poor.
"Rebecca": Excellent-Good.
"Saps At Sea": Fair.
"Turnabout": Fair.

Twenty pictures have so far been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Good, 1; Excellent-Fair, 1; Very Good-Good, 3; Very Good-Fair, 1; Good-Poor, 1; Good-Fair, 3; Fair, 5; Fair-Poor, 5.

Universal
1939-1940

The previous box-office performances of Universal pictures were published in the March 2 issue.

"Legion of Lost Flyers": Fair-Poor.
"One Hour To Live": Fair-Poor.
"Tower of London": Fair.
"Big Guy": Fair.
"Chip of the Flying U": Fair-Poor.
"Laugh It Off": Fair-Poor.
"Man From Montreal": Fair-Poor.
"Missing Evidence": Fair-Poor.
"Charlie McCarthy Detective": Good-Fair.
"Destry Rides Again": Very Good-Good.
"Oh Johnny How You Can Love": Fair-Poor.
"The Invisible Man Returns": Fair.
"West of Carson City": Fair-Poor.
"Green Hell": Good-Fair.
"Danger On Wheels": Fair-Poor.
"My Little Chickadee": Good-Poor.
"Honeymoon Deferred": Fair-Poor.
"Framed": Fair-Poor.
"Double Alibi": Fair-Poor.
"Zanzibar": Fair-Poor.
"Ma He's Making Eyes At Me": Fair-Poor.
"It's a Date": Excellent-Very Good.
"Half a Sinner": Fair-Poor.
"Riders of Pasco Basin": Fair-Poor.
"Black Friday": Fair.
"House of Seven Gables": Fair.
"Enemy Agent": Fair-Poor.
"If I Had My Way": Good-Fair.
"Ski Patrol": Fair-Poor.
"Alias the Deacon": Fair-Poor.
"Hot Steel": Fair-Poor.
"La Conga Nights": Fair-Poor.

Forty-five pictures have so far been released. Grouping the pictures of the different ratings from the season's start, we get the following results:

Excellent-Very Good, 1; Very Good-Good, 1; Good-Fair, 7; Good-Poor, 3; Fair, 5; Fair-Poor, 26; Poor, 2.

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SATURDAY, JULY 20, 1940

No. 29

HAVE THE PRODUCERS THE RIGHT TO REQUEST HELP FROM EXHIBITORS?

Because of the loss of the greatest part of the foreign income, the producers have appealed to you repeatedly for help in increasing their revenue so that they may be enabled to produce the quality pictures that they have been producing.

HARRISON'S REPORTS has frequently pointed out in these columns that one item of high cost to the producers has been the poor superspecials they have been producing. It gave a partial list in a recent issue, pointing out the millions they have spent in them, stating that, if they should discontinue making these wasteful pictures, they could effect the greatest of economies—so great, in fact, that they could afford to lose all their income from the foreign markets and still be ahead.

There is still another item that they could take care of if they are looking seriously to become self-sufficient; that item is, starting a picture while the script is half-finished. When a picture is started under such conditions, changes are usually made during production, compelling the entire production force—stars, directors, mechanics, to wait until some scenes are finished to enable the producing force to go ahead with the work. After the scenes are finished, the director, cast and the camera crew have to wait until the sets are prepared, necessitating a further delay of half a day, and at times of even a full day. And it is costly to make the production force wait—at times the waste in salaries runs into hundreds of thousands of dollars before the picture is finished, not to mention the effect on quality. Pictures that are budgeted at five hundred thousand dollars sometimes cost more than a million dollars. Once an independent producer, who was producing low budget pictures, told me that the alteration of even a single scene during production may run anywhere from one thousand to five thousand dollars. You may imagine then what may be the cost of making a five hundred thousand dollar picture scene by scene.

Writing on the subject in a recent issue of *The Hollywood Reporter*, Mr. W. R. Wilkerson said the following:

"The greatest tragedy in the production of motion pictures in the majority of our big studios is the UNFINISHED SCRIPT. That condition boys and girls, accounts for most of the ills of picture making—higher costs, poorer pictures; all for NO reason.

"Everything in the making of a picture is upset by the unfinished script or the screenplay that is written from day to day during production, with the pages handed to the actors, the director, the set technicians and others who are whamming away in an effort to do something with nothing. The artists

can't get the feeling of their roles because they don't know what they are supposed to portray. The director has trouble directing because he doesn't know what's coming next, because the writer doesn't know and the producer has just as little idea. The whole continuity of shooting a picture, the whole threading together of all the production's component parts, is lost, because there may be a beginning and no end, or no middle, or only a few pages of a completed script to work with. What kind of a business is this to attempt to stand off such stupidity? . . ."

Mr. Wilkerson then describes a meeting of his with a successful producer who wore the happy looks of a person satisfied with life. When he asked the producer the reason for so much happiness, he gave the following reason: "I am enjoying my first sensation of starting a picture with a completed script, with not a scene to be rewritten, not a line or dialogue to be changed. Boy, oh! boy, what a feeling!" The producer then explained that that picture will be finished at less cost than a similar previous picture, even though the picture that was to be shot had fifty per cent more sets than the previous pictures. Mr. Wilkerson then closed his editorial as follows:

"So, when you figure there is no reason for starting a picture until you have a finished script, you wonder about a practice that has grown to be a habit here and one that presents the worst menace to good pictures and lowered negative costs."

But for the prevailing block-booking and blind-selling systems, such a condition could not have survived. With these systems now in vogue, what does the producer care? He knows that his picture will be sold anyway, along with the other pictures of the group. When the distributor, however, is compelled either by law or by a trade practice code to deliver to the exhibitor a synopsis before the sale of the picture, no producer will start a picture unless the script is first completed, for it is out of the completed script that he will have the synopsis written by his writers.

Mr. Joseph Schenck once said that there are no evils that good pictures cannot cure. But before good pictures may be produced consistently, certain evils must be cured. And evils are the block-booking and blind-selling systems. Abolish them and you automatically cure ninety per cent of the prevailing industry evils.

NOT NICE!

Under the subheading, "Advisedly," in the "Notes to You From Red Kann," of the May 4 issue of *Bo. office*, Red Kann said:

"In the event it might have been glossed over which it should not have been, what pops up now

(Continued on last page)

"The Boys From Syracuse" with Allan Jones, Martha Raye and Joe Penner

(Universal, August 9; time, 73 min.)

Conditions being what they are, audiences are in the mood for something light; and this comedy with music should, for the most part, prove satisfying to the masses, for it has plentiful gags, a few good songs, and romance. The action is at times a little slow because, in adapting it from the stage play, the screen play writers saw fit to follow the methods employed on the stage; as for instance, the way in which the songs are presented—in a stilted fashion. The closing scenes provide fast action; during those scenes there is a chariot race done in the good old western style. The players work hard, but the material is such that they are not given much of a chance to make an impression. The story takes place in ancient Greece, and the characters are costumed in the style of those days:—

Antipholus of Ephesus (Allan Jones), a Grecian general, returns to his home a hero, having defeated Syracuse at war. He urges the Duke (Charles Butterworth) to pass a law providing that any Syracusean caught in Ephesus shall be executed. "Eph" is married to Adriana (Irene Hervey) and his slave Dromio of Ephesus is married to Luce (Martha Raye), Adriana's slave. "Eph's" long lost twin brother (also played by Allan Jones), a resident of Syracuse, sneaks into Ephesus with his slave (also played by Joe Penner), the long-lost twin of Dromio. Naturally everyone mistakes them for the residents of Ephesus and they get into many embarrassing situations because of the mistake in identity. Antipholus of Syracuse falls in love with Adriana's sister Phyllis (Rosemary Lane), but, thinking he was her brother-in-law, she resents his attentions. After many complications, the whole thing is finally explained and the two sets of brothers are united. They save their father (Samuel S. Hinds), who had been sentenced to die because he came from Syracuse, and there is a happy family reunion. "Eph" of Syracuse marries Phyllis, and "Eph" of Ephesus explains the whole thing to his wife, who is happy to have her husband back again.

The plot was adapted from the stage play by George Abbott, Richard Rodgers, and Lorenz Hart. Leonard Spigelgass and Charles Grayson wrote the screen play, Edward Sutherland directed it, and Jules Levey produced it. In the cast are Alan Mowbray, Eric Blore, and others.

Suitability, Class A.

"Pride and Prejudice" with Greer Garson and Laurence Olivier

(MGM, August 2; time, 116 min.)

This comedy of old-fashioned English manners and customs has been produced lavishly and has been acted by an expert cast with skill. It offers excellent entertainment for class audiences, particularly for those who clamor for something different. The fact that there is little action, the story being developed mostly by dialogue, is one thing against it as far as the masses are concerned. Moreover, they may find the whole thing a little too old-fashioned, particularly the development of the romance between hero and heroine. The picture may, therefore, have to depend for its box-office success on star names:—

The story deals with the efforts of Mary Boland to marry off her five daughters (Greer Garson, Maureen O'Sullivan, Ann Rutherford, Heather Angel, and Marsha Hunt); her methods are disliked by her husband (Edmund Gwenn), a real gentleman. She worried, for she knew that, since she did not have a son, their estate, upon the death of her husband, would pass into the hands of a cousin (Melville Cooper). There is great excitement in town upon the arrival of two rich and distinguished bachelors (Bruce Lester and Laurence Olivier). Lester is immediately attracted to Miss O'Sullivan; but Olivier, who was a snob, looks down on every one. Miss Garson, annoyed at Olivier's snobbishness, is determined to insult him; she annoys him by refusing to dance with him. This makes him take notice of her. Miss O'Sullivan and Lester fall in love with each other; but Lester, influenced by his snobbish sister (Frieda Inescort) and by Olivier, decides to leave for London; Miss O'Sullivan is heartbroken. While visiting a friend, Miss Garson again meets Olivier, who then acts kindly towards her. He asks her to marry him, stating that, as much as he disliked her family, he could not resist her charms. Miss Garson is infuriated and turns down his proposal. She returns home to find it in a chaotic state. Miss Rutherford had run off with a soldier without being married. Olivier finally comes to the help of the family. By bestowing an income on the scheming soldier, he influences him to marry Miss Davenport. Lester returns to marry Miss O'Sullivan, and Miss Garson finally accepts Olivier. Miss Boland is overjoyed, for it looked as if all her daughters would soon be married.

The plot was adapted from the novel by Jane Austen and the dramatization by Helen Jerome; Aldous Huxley and Jane Murfin wrote the screen play, Robert Z. Leonard directed it, and Hunt Stromberg produced it. In the cast are Edna May Oliver, Karen Morley, Edward Ashley, and others.

Class A.

"Sporting Blood" with Robert Young, Maureen O'Sullivan and Lewis Stone

(MGM, July 12; time, 82 min.)

A pretty good program drama, centering around horse-racing. The production values are good, and the performances engaging. Yet, as is the case with most pictures centering around horses, it is somewhat limited in appeal, even though more attention has been paid to the characters and their personal difficulties than is usually done in pictures of this type. Another fault is the fact that at first one feels sympathy for Robert Young; but his actions later on, particularly with reference to the heroine, turn the spectator against him; in the end, however, he is regenerated. There are a few situations that stir one's emotions and, for excitement, the race in the closing scenes should offer plenty to any one who enjoys the sport:—

Young, who had been depending on a horse he owned to win a race and thus help him out financially, acts as a tout on the side in order to make a few dollars. But his horse does not win and he and his trainer (William Gargan) find themselves broke. He decides to go back to Virginia, where he owned a plantation that had been deserted for many years. Years previously, his father had run away with the wife of Lewis Stone, the leading

citizen, and Young's aunt, who had cared for him, had been forced to leave with him. Young finds it impossible to obtain credit because of the antagonism in the town. Furious, he confronts Stone, who agrees to give him a loan, with the plantation as security. Young meets and "falls" for Lynne Carver, one of Stone's daughters. Although she shows a liking for him, she runs off with some one else. Stone's faithful old colored butler (Clarence Muse), eager to help his master get rid of Young, sets fire to Young's stables, injuring the horse he intended running. Maureen O'Sullivan, Stone's younger daughter, is heartbroken, for she loved Young. She tells him of her love and agrees to marry him, even though she knew he was marrying her for the purpose of, first, spiting her father, and, secondly, gaining possession of a fine race horse she owned. She makes him a little ashamed of himself. They work together training the horse. When she feels their work had been completed, she decides to leave Young because he had spoken no words of love to her. It is then that Young realizes how much he loved her. But he does not call on her. Instead, he decides to await the outcome of the race—if he won the \$20,000 he would effect a reconciliation, but if he lost, he preferred that she forget him. He wins, and they are reconciled.

Grace Norton wrote the story, and Lawrence Hazard, Albert Mannheimer, and Dorothy Yost, the screen play; S. Sylvan Simon directed it, and Albert E. Levoy produced it. In the cast are Lloyd Corrigan, George H. Reed, Tom Kennedy, Russell Hicks, and others.

Suitability, Class A.

"The Fugitive" with Ralph Richardson and Diana Wynyard

(Universal [1940-41], June 28; time, 76 min.)

This British-made drama might appeal to class audiences because of the good performances and the unusual background—that of a London slum district. But it does not appeal much to most people, on account of the fact that the surroundings are sordid, and the story is extremely grim and depressing. It is not pleasant, for example, to see a man tortured and driven to death, even though he had committed crimes. And the meanness and heartlessness of the mob in hounding him cannot be considered pleasant either. Moreover, since all the action takes place in the slums, the picture is completely lacking in glamour. There are no characters for whom one feels any sympathy:—

Ralph Richardson, a barber in a London slum district, passes by an open window leading to the back office of a bank. Noticing that there was on the desk a number of bank notes and that no one was in the room, he steals the money. His wife (Diana Wynyard) had read newspaper accounts of the theft and, noticing her husband's strange actions, realizes that it was he who had stolen the money; he confesses to her, telling her that he wanted the money to open a business in a better neighborhood for her sake and for that of their child. Miss Wynyard confesses to him that she, too, had done wrong—she had incurred with a shop-keeper a debt that would have to be paid. He gives her the stolen money and she pays off the shop-keeper. The police trace the money to him, but he does not tell them from whom he had received it. Instead, he decides to use his knowledge to blackmail Richard-

son. Desperate, Richardson kills the shop-keeper. Miss Wynyard is terrified when she learns the truth. A gin-soaked peddler, who had seen Richardson enter the shop, blurts out the information to a friend. Soon word spreads that Richardson was the murderer. Miss Wynyard leaves with her child, but Richardson remains in the shop, even though he now had no customers. Weeks later, just when he was preparing to run away, he learns that his wife had been injured in an automobile accident. He rushes to the hospital, which was surrounded by police. Learning that she had died, he walks toward the police pretending that he had a gun. They shoot and kill him.

The plot was adapted from the novel by Frederick L. Green. Brian D. Hurst, Patrick Kirwan and Terrence Young wrote the screen play, and Brian Desmond Hurst directed it. In the cast are Romney Brent, Mary Clare, and others.

Not for children or adolescents. Adult fare. Class B.

"Scatterbrain" with Judy Canova and Alan Mowbray

(Republic, July 20; time, 72 min.)

A good comedy for the masses. The story is lightweight; but it presents so many amusing situations and so many comical characters that it keeps one entertained all the way through. As a matter of fact, a few situations are so comical that they provoke hearty laughter. One of the most comical situations is that in which Billy Gilbert tries to teach Judy Canova, a girl from the hillbilly country, how to act, as well as to sing. The action moves at a fast pace, and keeps one engrossed even though one knows in advance just how it will all end:—

Eddie Foy, Jr., right-hand man to Alan Mowbray, a motion picture producer, conceives the idea of "planting" his girl (Isabel Jewell) in the Ozark mountain country so as to have Mowbray "discover" her; this would give him a great deal of publicity for his new picture to be called "Thunder Over the Ozarks." In the presence of newspaper columnists, Mowbray "discovers" by mistake Judy Canova, a real hillbilly. When he realizes what he had done, he is frantic, for he felt he could do nothing with Judy. He and Foy try to induce her to return home, but she insists on staying for their sake. Mowbray orders a screen test for Miss Canova but does not even look at the results. The chief (Joseph Cawthorn) of the studio and the newspaper columnists keep asking Mowbray to tell them when he would start shooting his new picture, but he puts them off with silly excuses. Miss Jewell, enraged at the turn of events, goes to a party given by Cawthorn in Miss Canova's honor. She induces Cawthorn to show Miss Canova's screen test, thinking it would be terrible. But to everyone's delight Miss Canova proves to be a real find and Mowbray, to his amazement, is congratulated. Before seeing the test, Mowbray had set a hypnotist to work on Miss Canova to induce her to go back home; since the trick had worked he is compelled to get the hypnotist to induce her to remain. She becomes a star.

Jack Townley and Val Burton wrote the original screen play, and Gus Meins directed and produced it. In the cast are Wallace Ford, Luis Alberni, Emmett Lynn, Jimmy Starr, and others.

Suitability, Class A.

is a carbon copy of a neat, little box originally published in *Boxoffice* last issue, page four, column two:

"New York—Although Thurman Arnold makes it clear apparently that a consent decree is out, it is being pointed out here—cautiously and advisedly—that the assistant attorney general presumably is talking for the department of justice only."

"Remarked one highly placed executive, 'Even Mr. Arnold has superiors in Washington.'"

"From this point on, you do your own speculating. A word of suggestion:

"Don't be a piker."

An exhibitor has sent me the following remarks about this article:

"There are many angles to this 'neat little item.'

... "It seems to me that articles of this kind might hamper sincerely minded people, and might even hamper those people referred to as 'superiors' because the picture industry has earned for itself the reputation of buying its way out."

"The admonition: 'Don't be a piker' could mean a lot of things, don't you agree with me? I know that, were I in a position to aid the industry, articles like that would tend to slow me down, for I would not like to be put into a position of questionableness concerning the urge to help a giant."

"Don't you think that Thurman Arnold would be interested in the article?"

Once before—and that was when Red Kann was with *Motion Picture News*—I had an occasion to criticize Red Kann for resorting to this type of journalism, for the simple reason that stating certain damaging facts without mentioning names may throw suspicion on innocent persons.

Yes, Mr. Arnold would undoubtedly be interested in this "neat little item." Fortunately, he has so gained the confidence and respect of every one connected with the motion picture industry that he should not worry about articles that may mean a lot, and on the other hand may mean nothing.

The exhibitor's observations are to the point: veiled insinuations, if such Red Kann intended them to be, are unjust, because each reader may, as said, place his own interpretations on them.

Cut out such insinuations, Red! They should not be made by you, whom everybody in the industry respects.

PICTURES NOW IN PRODUCTION

Metro-Goldwyn-Mayer

"THE PHILADELPHIA STORY," the successful comedy, with Cary Grant, Philip Barry, Katharine Hepburn, James Stewart, and others, produced by Joseph Mankiewicz, and directed by George Cukor. It is the story of a young aristocratic woman who demands that every one around her conduct himself according to Hoyle, but who eventually finds out that, after all, she wasn't "Holier than thou." It should make an excellent picture, with about similar box-office results.

"DR. KILDARE GOES HOME," with the usual Kildare series cast. Very good.

Paramount

"TOUCHDOWN," with Wayne Morris, Virginia Dale, Lillian Cornell, Frank Fay, Alan Mowbray, and others. It is the story of twin brothers, one of whom turns good and the other bad. The good brother suffers as a result of the misdeeds of the bad brother until toward the end, when the bad brother helps win a football game, credit for which

goes to the good brother. Fairly good to good in entertaining quality, with possibly fair box office results.

RKO (Radio) Pictures

"LITTLE MEN," the Louisa M. Alcott old novel, with Kay Francis, Jimmy Lydon, Jack Oakie, George Bancroft, and others, produced by Towne & Baker, and directed by Norman Z. McLeod. It is the story of little children in an orphanage, treated so kindly that even the rough among them become good. It is a deeply human story. But Nat Levine produced this story in 1934, with Frankie Darro, and although it turned out a deeply moving picture it did not do anything at the box office: it played on double bills. The presence of Kay Francis and of Jack Oakie may help it fare a little better.

Twentieth Century-Fox

"YESTERDAY'S HEROES," with Jean Rogers, Ted North, Louis Hayward, and Katharine Aldridge, produced by Sol Wurtzel, and directed by Herbert I. Leeds. For double-bills.

"YOUTH WILL BE SERVED," with Jane Withers. Its usual box-office success.

Universal

"RAGTIME COWBOY JOE," with John Mack Brown, Fuzzy Knight, and others. Program.

Warner-First National

"SANTA FE TRAIL," with Errol Flynn, Olivia de Havilland, Raymond Massey, Dennis Morgan, Alan Hale, Quinn Williams, and others, produced by Robert Fellows, and directed by Michael Curtiz. It is manifest that this is to be one of the Warner specials, which will be exploited by them with trumpets and flares.

"MEET JOHN DOE," a Frank Capra special, with Gary Cooper in the leading part, supported by Barbara Stanwyck, Walter Brennan, Edward Arnold, James Gleason, Irving Bacon, Rod LaRocque, Granville Bates, Warren Hymer, Henry O'Neill, Russell Simpson, and others, produced and directed by Mr. Capra himself. Since Mr. Capra always makes box-office hits, there is no reason why this picture should not turn out excellent, both from the box office as well as the entertaining quality point of view.

BOX OFFICE PERFORMANCES

Warner Bros.

1939-40

The previous box-office performances of Warner Bros. pictures were published in the March 9 issue.

"Private Lives of Elizabeth and Essex": Very Good-Fair.

"Dead Ends Kids on Dress Parade": Good-Fair.

"Invisible Stripes": Good-Fair.

"Child Is Born": Fair.

"Brother Rat and a Baby": Good-Fair.

"British Intelligence": Fair-Poor.

"Calling Philo Vance": Fair-Poor.

"Granny Get Your Gun": Fair-Poor.

"Virginia City": Very Good-Good.

"It All Came True": Good-Fair.

"King of the Lumberjacks": Fair-Poor.

"Tear Gas Squad": Fair-Poor.

"Saturday's Children": Good-Poor.

Seventeen pictures have so far been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Very Good-Good, 1; Very Good-Fair, 2; Good-Fair, 4; Good-Poor, 1; Fair, 1; Fair-Poor, 8.

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ANOTHER FACTOR THAT COULD CONTRIBUTE TO SELF-SUFFICIENCY

In the last few weeks there were discussed in these columns two practices that cause greater waste than whatever loss the producers are sustaining from the foreign market. The one was the adoption of poor stories, particularly for the expensive pictures; the other, the starting of "shooting" before the scenario is completed.

There is still another practice that causes a great waste: the practice of telling the story by means of dialogue instead of by the natural method with which moving pictures have been blessed,—the moving photographic shadows.

Writing on the subject in the June 1 issue of his *Hollywood Spectator*, under the heading "How to Eliminate Double Bills," Mr. Welford Beaton said:

"All over the country motion picture exhibitors, who started the double-bill menace to their business, are conferring together in efforts to put an end to it. The way to cure any evil is to treat it at its source. Hollywood studios are the source of all the troubles exhibitors are having. When pictures were silent there was as much story in one of them as it now takes two talkies to tell. The microphone slowed things up. Putting on the camera the chief burden of telling a story on the screen, and using dialogue only to cut corners, would put into one picture as much story value as a double-bill now gives the ticket buyer."

This paper has always agreed with Mr. Beaton in this matter. As a matter of fact, this writer was irked even in the days of the silent pictures by the frequent employment of explanatory titles to tell part of the action when photographic moving shadows should have been employed. But the evil was not so pronounced; today the garrulosity of the characters often drives one to distraction.

Even when over-garrulosity is avoided, a six-reel feature of today is no more than a four-reel feature of the silent days, by reason of the fact that, during the silent days, a picture was photographed at the rate of sixty or seventy revolutions per minute, and was so exhibited, whereas today the photographing, because of the sound, is done at the rate of ninety revolutions per minute.

But helping drive the double-bill out of the industry is not the only blessing that will accrue to the industry by the elimination of the excessive dialogue; there is a far greater blessing to accrue to it—helping the industry attain self-sufficiency. Few exhibitors know how much time is wasted in taking scenes that contain dialogue over and over until the talk is perfect. I was present once at the shooting of the final scene of a program picture, and saw that fully one hour and twenty minutes were consumed for the taking of a scene that should not have required more than ten minutes, at the most. The actor, who happened to be the leading player, made one mistake after another in his lines. Often he made the same mistake in succession. When he mastered one part of the dialogue, his tongue stumbled on another word. The cost of taking that scene naturally multiplied manifold.

The practice of taking shot after shot until a perfect scene is made is so wasteful that, were the producers to eliminate all the unnecessary dialogue, letting the action tell the story, often one-half of the shooting time could be saved. Now, take a piece of paper and a pencil and figure out for yourself what the saving will be on pictures that require anywhere from sixty to ninety days to produce. The saving from

this item alone should enable the producers to recoup most of their losses from the foreign market, not to mention the added receipts which will be natural as a result of the improvement in the quality.

But it is hard to induce the producer forces to abandon a practice that has been inherited from the stage. To people who have received their training on the stage—and Hollywood is full of them—the talking picture is nothing but an imitation of the stage and must, therefore, conform to the stage technique. What right has the talking picture to do differently from a medium that has had so glorious a past? And the newcomers, fearing lest they appear to the stage-trained folk as ignorant, ape their style.

The elimination of block-booking and blind-selling will help these people to break away from the fetters of the stage technique. When pictures sell on merit, nothing can bind those who want to show results in a medium that is as different from the stage as is the written word.

In 1913, the moving picture industry was saved by the advent of the multiple-reel feature; in 1927, it was saved by the advent of sound; what is to save it now from the rocks toward which it is inevitably headed other than a decided improvement in the quality of motion pictures? And what force can cause such an improvement other than selling pictures on merit instead of by the bushel?

Let the producers think this over!

AN INDUSTRY FACTOR IN FAVOR OF THEATRE DIVORCEMENT

To hear an exhibitor express the opinion that the producers and distributors should own no theatres, nor should they have any connections with theatres, is no news, but to hear the president of a corporation that is one of the chief stockholders in a major company express such a view is, indeed, news.

On June 19, the first day of the Allied convention in Chicago, the Allied leaders rubbed their eyes when they heard of the statement that was issued on that day by Mr. Floyd B. Odlum, president of Atlas Corporation, which owns a substantial interest in RKO. The previous day Mr. Odlum had told Federal Judge William Bondy, during the proceedings on the final applications for lawyers' allowances in the RKO reorganization, that Atlas Corp. had attempted to bring about divorce of the RKO theatre companies from the production company, but that it had been blocked by other interests in the company.

Mr. Odlum told the court that the production and the distribution branches of the motion picture industry are separate and distinct from exhibition and have different problems of management. Where one company is, he said, engaged also in exhibition, it is engaged in all three branches at the same time. Consequently, the interests of the one branch will always dominate the interests of the other two. With divorce effected, he said, the selling of pictures will be based, not on company affiliations, but on the merit of the pictures: The producing company would make the best pictures possible, and the exhibiting company will buy pictures on their box-office possibilities.

This is what this paper has been preaching for almost twenty years, and what Allied has been trying to effect since the day that it was founded. As a matter of fact, the separation of theatres from production-distribution engaged the attention of the organized exhibitors as early as 1919, the year that HARRISON'S

(Continued on last page)

"Boys of the City" with Bobby Jordan and Leo Gorsey

(Monogram, July 15; time, 63 min.)

This comedy-inclodrama is fairly good program entertainment. General run of audiences will probably be amused for, even though the story is lightweight, it has plentiful action, a few amusing situations, and a romance. The pranks played by the group of rough city boys are of the familiar variety; yet they may provoke laughter. The second half is the most exciting, for the action there turns to mystery-melodrama, of the eerie type; all the old tricks are employed to create a spooky atmosphere:—

A gang of east side kids, headed by Bobby Jordan and Leo Gorsey, agree to visit a summer camp in the Adirondacks belonging to a wealthy benefactor, only in order to avoid a court sentence. They leave by car with their benefactor's son and Jordan's older brother (Dave O'Brien), who had been trying to reform the gang. Another party composed of a judge (Forest Taylor), his niece (Inna Gest), his secretary (Dennie Moore), and a bodyguard (Vince Barnett) start out for the Judge's summer home; the Judge, who had been a witness in a case against a gangster, was afraid of being killed. The engine of the judge's car blows up because of a bomb that had been placed there; O'Brien and the boys make room for them in their car and take them to their destination. The judge permits them to stay over night at his home. The boys do not like the spooky place, which frightens them. The judge is killed during the night, and his secretary, jealous because O'Brien and Miss Gest seemed to get along well together, accuses O'Brien of having committed the murder. Miss Gest disappears mysteriously. Jordan and Gorsey find a secret panel that leads to an underground passage, which they explore even though they were frightened. Eventually they capture one man, but he turns out to be a detective. Later they help in capturing the real murderer; it turns out that he was Barnett, who really belonged to the enemy gang.

William Lively wrote the screen play, Joe Lewis directed it, and Sam Katzman produced it. In the cast are George Humbert, Harry Chester, Sunshine Sammy, and others.

Not for children. Suitable for adolescents and adults. Class B.

"Out West with the Peppers" with Edith Fellows and Dorothy Ann Seese

(Columbia, June 30; time, 62 min.)

This latest picture in the "Pepper" series is suitable mostly for Saturday matinees for children. Adults should find the action boring, for it is silly and even annoying. Edith Fellows is completely wasted in a part that gives her no opportunity to display her talents. About the only one who comes out unhurt by the poor material is little Dorothy Ann Seese, who manages to be appealing because of her charming ways; but the lines she speaks are at times too advanced for what a child of her age would say.

This time the Peppers, because of their mother's bad health, are compelled to leave their homes and travel out West. They go to live with their mother's sister, who ran a boarding house; even though they agree to pay for their board, their uncle (Victor Kilian) treats them badly, and is annoyed at everything they do. The children play many pranks, which delight the other boarders but which infuriates Kilian. Eventually he undergoes a change and risks his own life to save the children, who were on a raft adrift in a breaking log-jam.

The plot was adapted from the novel by Margaret Sidney; Harry Reubas wrote the screen play, Charles Barton directed it. In the cast are Charles Peck, Tommy Bond, Bobby Larson, Dorothy Peterson, Helen Brown, and others.

Suitability, Class A.

"Girls of the Road" with Ann Dvorak, Helen Mack and Lola Lane

(Columbia, June 20; time, 60 min.)

Poor! The story is sordid and depressing, slightly ridiculous in spots, and completely lacking in mass appeal. With the exception of the heroine, and one or two other girls, the characters (all girls) are represented as being tough and unpleasant. They (including the heroine) go through the picture wearing trousers,

looking unkempt, and appearing devoid of personal charm. There is no romance, and just a feeble attempt at comedy:—

Ann Dvorak, college graduate and daughter of a governor, is shocked when she reads a report on the condition of girls who lived on the road. Determined to get first-hand information about the subject, she runs away from home, dressed in trousers, and carries a suitcase with a few changes. Her first hitch-hike proves unpleasant because the man tries to force his attentions on her; she insists on getting out. This incident had been noticed by Helen Mack, an experienced girl of the road. She and Miss Dvorak become good friends and travel together—hitch-hiking and stealing rides on freight trains. Miss Dvorak is appalled at the treatment given to the girls when they are rounded up and put in prison on charges of vagrancy. One of the girls, who, being without funds, had been hitch-hiking to meet her sweetheart so as to be married, dies. This softens even the heart of Lola Lane, the toughest girl on the road. The police find the hideout of the girls and, after a desperate struggle, during which the girls fight them, round them up and put them in jail. Miss Dvorak's identity is discovered, and she is released. When she returns dressed in fine clothes, in company with the governor, the girls think that she had double-crossed them. But she reassures them by informing them that her father and a committee had decided to build a home to shelter wandering girls, and to help them find their place in the world. The girls cheer her.

Robert D. Andrews wrote the original screen play, Nick Grinde directed it, and Wallace McDonald produced it. In the cast are Ann Doran, Marjorie Cooley, Mary Fields, Mary Booth, and others.

Not for children. Suitable for adolescents and adults. Class B.

"The Man I Married" with Joan Bennett, Francis Lederer, Lloyd Nolan and Anna Sten

(20th Century-Fox [1940-41], Aug. 2; time, 77 min.)

Powerful! It is the strongest indictment against Nazi-Germany that has yet been screened—even stronger than "The Mortal Storm." From the moment the picture opens to the final fadeout the spectator is held in tense suspense; sometimes one's feelings are that of pity for some of the unfortunate characters caught in the Nazi trap, and at other times one has the feeling of revulsion at hearing characters "spout" the Nazi philosophy. No punches are pulled; names of the Nazi leaders are mentioned, not with any words of praise but with derision. Lloyd Nolan is highly impressive when he, as if talking to himself, recounts the misery the Hitler rule had brought and will still bring to the world. Americans everywhere will give thanks for being in America after they see this picture. It is, however, not the type of entertainment to cheer people up:—

Joan Bennett, a successful American business woman, obtains a three month leave of absence from her firm in order to go to Germany with her husband (Francis Lederer) and their young son (Johnny Russell). The trip was supposed to be a combination pleasure-business trip, for Lederer was returning to Germany to help his father (Otto Kruger) sell his factory; after the sale, he expected to return to America with his wife and child. But once in Germany he, like many other young men of German extraction, becomes spellbound by the speechmakers and their talk of German supremacy. He is influenced greatly by Anna Sten, an ardent Nazi, who eventually lures him away from his wife. He tells Miss Bennett that he wanted a divorce and that she could return to America but that he would keep the child in Germany. Miss Bennett goes to Lloyd Nolan, American newspaper correspondent, for help; he promises to do what he can. But Kruger, realizing that Lederer's mind had been poisoned, is compelled to tell him, in Miss Sten's presence, that his mother was a Jewess. Miss Sten is horrified and leaves. Lederer is broken-hearted, knowing the fate that awaited him. Miss Bennett returns to America with her child.

The plot was adapted from the story by Oscar Schisgall. Oliver H. P. Garrett wrote the screen play, Irving Pichel directed it, and Raymond Griffith produced it. In the cast are Maria Ouspenskaya, Ludwig Stossell, Egon Brecher, and others.

Suitability, Class A.

"South of Pago Pago" with Victor McLaglen, Frances Farmer, Jon Hall and Olympe Bradna

(United Artists, July 18; time, 97 min.)

Although this South-Sea Island melodrama has a weak plot, it has the ingredients for mass appeal, for there is plentiful action and a romance. But it is not pleasurable action, for it is gory to the extreme; moreover, it stresses the villainy of white men in their efforts to exploit the natives. As a matter of fact, not one white character shows any decent traits—they are all cruel, murderous, conniving, callous, and money-mad. Some of the action is so brutal that sensitive persons may be sickened. The battle between the whites and the natives in the closing scenes has been handled with skill and is realistic; but there again the action is horrifying because of the brutality. The romance is not pleasant, even though it is the means of bringing about the regeneration of a scheming woman; one does not like to see a well-meaning person taken advantage of:—

Desiring to go to Shanghai, Frances Farmer, a hostess in a saloon, strikes a bargain with Victor McLaglen, owner of a boat, that, if she could induce Abner Biberman to tell them where he had found valuable pearls and to join them on a voyage in search of them, McLaglen would take her along, give her part of the profits, and then take her to Shanghai. She succeeds and they set sail. As soon as they sight their destination, McLaglen throws Biberman overboard. When they land on the island, inhabited by a happy group of natives, McLaglen wins their friendship by giving them gifts. They in return dive and bring up oyster shells for him; but no pearls. McLaglen realizes that they would have to dive in deeper water, which was extremely dangerous. This brings about the death of one of the boys. Jon Hall, son of the native chief, forbids his men to do any more deep-sea diving. Knowing that Hall had fallen in love with Miss Farmer, McLaglen suggests that she lure him away for a week so that they could get the men to dive. She enters into the plan and goes through a marriage with Hall; they leave for another island to be alone. A week with Hall changes Miss Farmer; she feels cleansed and actually falls in love with him. But sensing trouble, she urges him to return home. He finds tragedy—McLaglen had got the men drunk and forced them to dive, causing many of them to die. The others were forced at the point of a gun to follow his bidding; he had even killed Hall's father. Hall collects his men and starts a raid on the ship. Miss Farmer protects Hall from a bullet aimed at him and dies. The white men are all killed, tied to the masts, and the ship set adrift. The natives return to their happy way of life. Hall marries Olympe Bradna, his native sweetheart.

George Bruce wrote the screen play, Alfred E. Green directed it, and Edward Small produced it. In the cast are Gene Lockhart, Douglas Dumbrille, Pedro deCor-doba, and others.

Not for children. Suitable for adolescents and adults. Class B.

"They Drive by Night" with George Raft, Ann Sheridan, Humphrey Bogart and Ida Lupino

(First National, August 3; time, 94 min.)

A very good melodrama, but strictly for the adult trade. The story is not a pleasant one; yet it holds one's interest throughout because of the realistic way in which it has been handled, and the excellence of the performances. Ida Lupino is a standout in the role of the neurotic unfaithful wife who murders her husband and gradually goes insane; the courtroom scene in which her insanity manifests itself is gripping but horrifying. This is not a picture for prudish persons, for the dialogue is rough, and the action suggestive and far from edifying. But in theatres where patrons enjoy virile melodramas, this should go over very well:—

George Raft and his brother (Humphrey Bogart), independent truck operators, find it tough to make a living. Bogart resented being away from his wife (Gale Page) for long periods; both he and his wife preferred that he give up the trucking business, settle down to an ordinary job and live a normal life. But Raft insisted that they hold out, for he felt certain that they would eventually succeed. While driving at night, Bogart falls

asleep at the wheel and crashes the truck; he loses his right arm. Raft promises to care for him and his wife until he could find something to do. In the meantime, Raft and his sweetheart (Ann Sheridan) realize they must wait until Raft could reestablish himself before being able to marry. Having lost his truck in the crash, Raft accepts a job with Alan Hale, who owned a string of trucks. Hale's wife (Ida Lupino), who was mad about Raft, urges Hale to give Raft an inside job. She tries to induce Raft to carry on an affair with her, but he refuses; this infuriates her. Driven to distraction by Hale's rough ways and by her inability to win over Raft, Miss Lupino causes her husband's death by leaving him in a drunken condition in their car with the motor running, and closing the garage doors. The case is closed by the District Attorney as accidental death. She inveigles Raft into becoming her partner, hoping in that way to win his affections; but when she learns that he intended marrying Miss Sheridan she goes wild. Going to the district attorney, she tells him about the murder, but states that Raft had forced her to do it. They are both arrested. At the trial, Miss Lupino is brought in to testify; but from what she said it was evident that she had become insane. The case against Raft is dismissed. He marries Miss Sheridan, and, at the insistence of his workers, remains in the business.

The plot was adapted from the novel by A. I. Bezzerides; Jerry Wald and Richard Macaulay wrote the screen play, Raoul Walsh directed it, and Mark Hellinger produced it. In the cast are Roscoe Karns, John Litel, George Tobias, Henry O'Neill, and others.

Unsuitable for children and adolescents. Adult fare. Class B.

"We Who Are Young" with Lana Turner and John Shelton

(MGM, July 19; time, 79 min.)

A fair domestic drama. The story is neither new nor exciting, and the action is slow-moving. Yet it has human appeal, and, since the performances are engaging, one is in sympathy with the hero and the heroine. The trouble with the story is the fact that the young married couple go through many hardships because of financial struggles, a state of affairs known to many at the present time. Therefore, when one sees it enacted on the screen, it fails to be entertaining, but rather serves as a reminder of one's own troubles. The only cheerful note comes towards the end, when the young couple are befriended by several persons, and their future seems secure:—

Lana Turner and John Shelton, who worked for the same firm, marry, against the rules of the firm, which forbade married women from working for them. When the fact becomes known, Miss Turner is discharged by Gene Lockhart, the manager. Shelton insists on keeping the furniture they had bought, even though he knew it would be a hardship to pay the installments. Things go well until Miss Turner learns that she was going to have a baby. Wanting his wife to have the best care, Shelton makes a loan for an advance payment to the doctor. When he falls back on his payments, the loan company issues an attachment against his salary, and serves the papers on Lockhart. Since it was against the policy of the firm for their workers to make loans, Lockhart discharges Shelton. Things go from bad to worse; the furniture company removes the furniture, and Shelton is compelled to go on relief. Ashamed of himself and unable to bear idleness, Shelton forces his way into the grounds where building construction had started and insists on doing some work, even without pay. He is arrested for causing a disturbance. When Jonathan Hale, the head of the construction firm, finds out about it, he befriends Shelton and offers him a job. Shelton goes to Lockhart for papers he had left with him, and tells him what he thought of him. Ashamed, Lockhart tries to make up for the unhappiness he had caused the young couple; learning that Miss Turner was at the hospital having her baby, he sends her a check and also an offer for Shelton to return. The young couple are happy once more, particularly when twins are born.

Dalton Trumbo wrote the original screen play, Harold S. Buequet directed it, and Seymour Nebenzahl produced it. In the cast are Grant Mitchell, Henry Armetta, Clarence Wilson, Ian Wolfe, and others.

Suitability, Class A.

REPORTS was founded. It was in that year, if I am not mistaken, that Mr. H. D. H. Connick, representing the Kuhn & Loeb interests, became the chairman of the board of directors of Famous Players-Lasky, bringing into the company that firm's money for the purpose of enlarging the company's theatre holdings.

As this paper has frequently stated, the industry will never find peace until the producers, who are the wholesalers, are deprived by law from owning theatres, competing directly with their own customers. The producers will naturally resist theatre divorce, just as they resisted it in the past, but the day will come when the interests of the nation will require such a divorce, in which event producer opposition will avail nothing.

Theatre divorce and outlawing of block-booking and its twin brother, blind-selling, will make a new industry out of the motion picture industry: The theatres will be making more money than they have ever made, because the producers will be producing pictures the quality of which has never been equaled. When the producers know that poor pictures will not bring in even the cost of the negative, they will abandon the pernicious practice of taking any old story and making a picture out of it, or of choosing a good story, well enough, but of starting production before the screen-play is completed, as is frequently the practice now. The greater profits will come, not only from the improved quality, but also from the elimination of the waste.

A BELATED OFFER BY THE PACIFIC COAST CONFERENCE

According to *Motion Picture Daily* of July 10, the Pacific Coast Conference, which consists of representatives of all the exhibitor organizations of the Pacific Coast, requested of the Department of Justice permission to take part in the drafting of the Consent Decree, and a spokesman for the Department replied that their offer came considerably late in view of the fact that negotiations for a settlement out of court have been going on for some time.

The spokesman for the Department of Justice was undoubtedly polite when he said that the offer of the Conference came a little too late; what he really meant was, no doubt, that, during the time that the suit was prepared, the Pacific Coast Conference did not offer to help the Department of Justice by producing competent witnesses to the end that the Government might win the suit; and now it wants to come along, for no other purpose, it must have seemed to this spokesman as it seems to any rational human being, than to get credit for something that they haven't worked for.

Where was the Conference all these months? Why didn't they come forward with an offer to help when the suit was first started and the Government really needed assistance?

PICTURES NOW IN PRODUCTION

Columbia

"BLAZING THE OKLAHOMA TRAIL," with Charles Starrett. Program western.

Metro-Goldwyn-Mayer

"BITTER SWEET," the Noel Coward play, with Jeanette MacDonald, Nelson Eddy, Ian Hunter and others, produced by Victor Saville in technicolor, and directed by W. S. Van Dyke. This play was put into pictures once before, in 1933, in England. Anna Neagle was the star. It was released in this country by United Artists. The picture was deeply moving and, in spite of the fact that the player was unknown in this country at that time, it made a fairly good success. With Mr. Van Dyke directing, and with the two popular stars, Jeanette MacDonald and Nelson Eddy, in the leading parts, the picture should turn out excellent, with similar box office results.

"GO WEST," with the three Marx Bros.—Groucho, Harpo and Chico. The usual Marx brothers business.

Paramount

"VIRGINIA," produced in technicolor, with Madeleine Carroll, Fred MacMurray, Lynn Overman, and others, being produced and directed by Edward H. Griffith. It is the story of an impoverished young southern aristocrat, who eventually marries a New York show girl; they had met when the show girl had arrived to sell a farm that she had inherited from her parents. The story is not so "hot," but Fred MacMurray's popularity, helped by the fair popularity of Miss Carroll, may bring good results at the box office.

RKO (Radio) Pictures

"STUNT MAN," with Kent Taylor and Linda Hayes. Program.

Twentieth Century-Fox

"CHARLIE CHAN IN NEW YORK." Program.

"CHARTER PILOT," with Lloyd Nolan and Lynn Bari. Program.

United Artists

"ROAD SHOW," with Adolph Menjou, John Hubbard, Carol Landis, Patsy Kelly, Charles Butterworth, Margaret Roach and others, produced and directed by Hal Roach. It is the story of a Wall Street wizard who has a nervous breakdown and is sent to a sanitarium. Having a chance to think things over, he decides to see the world on a penny a day. Followed by one of the inmates, he escapes and they join a travelling carnival. They are joined by others and soon they conduct one of the slickest caravan shows ever put together. And together they tumble in and out of troubles.

The picture offers many comedy angles, and Mr. Roach, who is an expert at comedy work, should take advantage of them. The picture should turn out very good, with good to very good box office results.

Universal

"THE LEATHER PUSHERS," with Richard Arlen, Andy Devine, Astrid Allwyn, Eddie Gribbon and others, produced by Ben Pivar and directed by John Rawlins. In the early twenties, Universal produced a successful series of two-reel pictures featuring Reginald Denny. Through this series, Mr. Denny gained screen popularity. In all likelihood the story of this picture will be a combination of the entire series. It should turn out good in quality, with the box office results depending on the popularity of the leading players, helped by a good story.

"SEVEN SINNERS," with Marlene Dietrich, John Wayne, Mischa Auer, and others, produced by Joe Pasternak, and directed by Tay Garnett. Considering the success of this company's "Destry Rides Again" made with Marlene Dietrich, this one should prove as successful since Joe Pasternak, a first-rank producer, is producing it, and Tay Garnett, a first-rank director, is directing it.

Warner-First National

"HONEYMOON FOR THREE," with George Brent, Ann Sheridan, Charles Ruggles, and others, produced by Henry Blanke and directed by Lloyd Bacon. Good cast, good producer and good director should make a good picture out of it, with the box office results commensurate with the popularity of the leads.

"FOUR MOTHERS," with the Lane sisters—Priscilla, Rosemary and Lola—and with Gale Page, Jeffrey Lynn, Claude Rains, Eddie Albert, May Robson, Dick Foran, Frank McHugh, produced by Henry Blanke, and directed by William Keighly. It should turn out as good as "Four Daughters."

ASSOCIATE THEATRES, INC.

Detroit, Mich.

July 13, 1940.

Mr. P. S. Harrison
HARRISON'S REPORTS
New York, N. Y.

Dear Pete:

I was very much surprised to pick up your issue of July 6th and note your article on "1940-41 Alleged Selling Terms of All the Producers."

Knowing you and your publication, I think that you should have prefaced the alleged asking terms for 1940-41 with a warning to the exhibitor not to fall for attempted terms that will bankrupt him. Instead, your article leaves the impression that these terms will be in effect.

The Box-Office, some time ago, published an article setting forth the cost of film at an average of 35%, and I spikd that as "producer propaganda."

Also, in your report of July 6th, you wrote of the deplorable condition existing in Chicago with reference to the triple features. For your information, we are enclosing a letter which we have this day sent to Mr. David O. Selznick, which is self-explanatory. We are also enclosing passes, circulars and advertising to substantiate the same. Surely, there must be some solution to this problem.

With kindest personal regards, I am,

Sincerely yours,

ALEX SCHREIBER.

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Vol. XXII

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No. 31

SAM GOLDWYN IS ROCKING THE BOAT

In the July 13 issue of *The Saturday Evening Post* there appeared an article under the heading "Hollywood is Sick," written by Mr. Sam Goldwyn.

Here are a few of the statements Mr. Goldwyn made in that article:

After stating that he nearly cried when he saw "Dead End," for the rights of which, he said, he had to pay \$165,000, shown along with "One Hundred Men and a Girl," another fine picture, Mr. Goldwyn said: ". . . I am not blaming the exhibitor. . . . I am blaming Hollywood for welcoming and sheltering it [double-billing], without realizing that it would eventually ruin the industry. If Hollywood had not been incredibly stupid, the double bill would have died of exposure and malnutrition. As it is, Hollywood itself is going to die, if it does not come to its senses fast.

". . . Did you know that the panic was on in Hollywood? That every one who works there is wondering how soon the whole structure is going to collapse? . . . The loss in American film attendance during the past ten years is appalling. Two statistics ought to convince you: In 1930, an average of 80,000,000 movie tickets was sold each week. In 1940, despite the tremendous progress the movies have made, the average is something under 65,000,000. That means that the moving-picture industry is sick, mortally sick. And I'm absolutely certain that the cause is the double bill. . . ."

Stating that once he saw in Chicago a triple-bill advertised, Mr. Goldwyn remarks: "You can't tell me that the parents want their children to spend six hours at a stretch in a movie theatre. I've got a boy myself, and there are plenty of things my wife and I had rather have him use his eyes for than looking at a screen for six hours, to say nothing of his sitting indoors when he could be outside. I'd like to show you the stacks of letters I've been getting not only from parents all over the country but from branches of the Parent-Teachers Association, asking me to do something to shorten movie programs, for their children's sake.

"And how about the parents themselves? Not so long ago, a man could have dinner, smoke his cigar, take his family to the movies at eight and be home again by 10:30. . . .

"But what happens today?" (Mr. Goldwyn then enumerates the "tortures" that a person has to go through when he attends a movie, because of the double and triple bills.)

"Radio," Mr. Goldwyn says in another part of his article, "has three tremendous advantages

over the movies. First, it is free . . . ; second, it is convenient; you don't have to go downtown or even around the corner for it; it is right there next to your favorite chair, waiting for you; third, it is selective; if you don't like a program, you can switch it off for a new one. If you don't like a movie, on the other hand, nine times out of ten you sit there and take it anyhow, doggedly determined to get your money's worth, and building up a subconscious resentment against all movies. . . .

"Add to these advantages the fact that radio is branching into television . . . and you will begin to appreciate our alarm over the competition. . . ."

Reducing the statements Mr. Goldwyn made to the American public through this article, we get the following as the thoughts that impressed most the readers of that article:

Hollywood is going to die unless it stops aiding and abetting the double-feature.

The panic is on in Hollywood. Every one there expects the moving picture industry to collapse, because fewer persons attend moving picture theatres today than they attended in 1930.

The entire moving picture industry is sick, the double-bill being the cause of its sickness.

Parents should not allow their children to go to the movies because they might sit through six hours looking at the screen. And looking at the screen so many hours is not good for their eyes.

As to the parents themselves, nowadays they cannot do what they used to do—have their dinner in comfort, smoke a good cigar, go to the movies about eight in the evening and return home about 10:30; if they should go to a theatre today, they will probably have to sit through six hours of pictures.

Radio has great advantages over pictures, particularly now that television has come into the field. A person is not under an obligation to dress to go to a theatre down town, or even around the corner of his house; all he has to do is sit in his comfortable chair, tune in, and if the program to which he listens in is not good enough, he can turn the knob and get another program, until he finds the program that he likes best. Besides, it is free, whereas he has to pay to get into a picture theatre.

On the other hand, if that person should go to a movie and should happen to see a picture that he does not like, he is bored stiff, yet he persists in seeing it so as to get his money's worth. Thus he comes to resent all movies.

(Continued on last page)

"Blondie Has Servant Trouble" with the usual "Blondie" series cast

(Columbia, July 25; running time, 70 min.)

One of the most entertaining in this series. This time the story deals with ghosts, of which every one in the cast is frightened to death except little Larry Simms, the little son of the Dagwood married couple. For this reason the "ghost" doings may not frighten little children; they will all have the same fun as little Larry Simms seems to be having. The spectator is held at times in tense suspense. There is, of course, a colored character to heighten the fright and the suspense:—

Penny wants a servant but because Arthur's salary cannot afford it he begins to drop hints to his boss about a raise. At first, the boss will not consider a raise, but when he is informed about rumors that one of the houses he had had for sale was haunted, and the rumors would not die down unless some one lived in the house, he offers Arthur a vacation in that house. Things happen when they reach there, frightening Penny, Arthur, and a colored man who had been sent there as a prank of initiation to a society, but not Larry Simms; he had been going in and out sliding or revolving partitions, losing himself and suddenly reappearing when every one thought that a ghost had got him. In the end, the hero captures the criminal who had been causing all this rumpus; he had been hiding there, in an effort to frighten the little family away. For this, he receives a reward, not only in a lump sum, which had been offered for his capture, but also in a raise of his salary. But now Penny won't have a servant.

The original story was written by Albert Duffy, taking his hints from the Chic Young's comic strip; it was put into a scenario by Richard Flournoy. Robert Sparks produced it, and Frank L. Strayer directed it most skillfully.

Class A.

"The Great McGinty" with Brian Donlevy, Akim Tamiroff and Muriel Angelus

(Paramount, Aug. 23; time, 82 min.)

This melodrama, revolving around crooked politicians, has been produced lavishly, but is just fairly entertaining. It will appeal more to men than to women, for it lacks human appeal. Nor is it edifying for young folk, for it shows the hero's rise from poverty and a bread-line to riches and power by means of crookedness and of strong-arm methods; moreover his one attempt to go straight is the cause of his downfall. The heroine's constant reference to the fact that she was proud of the hero sounds slightly silly, since she believed in an honest government and knew how he had risen and how he had remained powerful. The hero's eventual downfall does not stir one's emotions, for it is shown that he was a petty crook by nature. The story is told in flashback:—

Picked off a bread line, Donlevy is given a chance to make some easy money by voting under an assumed name for a certain candidate. He surprises every one when he shows proof that he had voted at thirty-two different places. Akim Tamiroff, a racketeer who controlled the city including the Mayor, puts Donlevy on his payroll, but he warns him to curb his temper. By following Tamiroff's instructions, Donlevy becomes an Alderman. Knowing that the reform committee wanted a new Mayor, Tamiroff decides to let Donlevy run, since he had not yet known very well; but he insists that Donlevy marry. Donlevy refuses to marry, until Muriel Angelus, his secretary, suggests that he marry her in name only. She tells him she had been married once before, but that her husband had died. After the ceremony he learns that she had two children, but he does not object to having the children live with them. He is elected Mayor and moves with his family into a luxurious apartment. He and his wife continue the marriage on a business relationship until they suddenly discover that they loved each other. Miss Angelus tries to make him reform, but in vain, for Tamiroff decided everything. Donlevy is elected Governor. As soon as he is inducted into office, he tells Tamiroff that he was through with crookedness and would go straight. Tamiroff is so enraged that he fires a gun at him and is arrested. But he talks and Donlevy, too, is arrested. Tamiroff's henchman helps them both escape and they leave for a South American country. Before going, Donlevy advises his wife over the telephone to get a divorce. He ends up by being bartender in a saloon Tamiroff had acquired.

Preston Sturges wrote the screen play and directed the picture. Paul Jones produced it. William Demarest, Allyn Joslyn, Thurston Hall, Steffi Duna, Esther Howard and others are in the cast.

Not for children or adolescents. Adult fare. Class B.

"South to Karanga" with Charles Bickford and Dick Foran

(Universal, August 2; time, 59 min.)

It is a harmless program picture, because the story is not strong. But considering the light material he had to work with, Marshall Grant, the producer, whose first picture this is, has done very well, for the production values are better than the story warrants. With better stories, Mr. Grant ought to do a good job. There is fast melodramatic action in the closing scenes.

The story unfolds in a tropical country, an African seaport, and deals with the efforts of Charles Bickford, American consul, to detect the murderer of Addison Richards; he had been murdered on the train, (the first to run on those tracks), headed for Karanga, in the interior, where, according to a report, trouble was brewing among the natives. Bickford had installed machine guns on the train to use them against the natives. Bickford eventually learns that it was John Sutton, Richards' private secretary, who had committed the murder, to hide a fund embezzlement. At Karanga Bickford and Foran dot the surrounding hills with dynamite. After the job is completed, Bickford orders Foran back to the compound, and to Luli Deste, a nurse, who had accompanied Frank Reicher, a physician, and with whom Foran had fallen in love. Bickford is killed as he sets off the dynamite, breaking up the attack by the savages.

Edmund L. Hartman and Stanley Rubin wrote the screen play. Harold Shuster directed the picture.

Class B for children under twelve, because of the murders.

"The Sea Hawk" with Errol Flynn

(Warner Bros., Aug. 24; time, 126 min.)

Considering the money expended on this picture and the formidableness of the cast, "The Sea Hawk" is not an entertaining picture. The reason for it is chiefly the fact that the spectator is asked to be in sympathy with a hero who does wrong—he is a privateer. The fact that the gold he has been robbing from the Spaniards had been robbed by them from the Aztecs does not change matters in a drama, where the spectator expects his heroes to be the embodiment of all virtues. That this drawback is fatal may be judged by the fact that, in the first version of "The Sea Hawk," produced by First National in 1924, with Milton Sills, the hero, an Englishman, although he had joined the Moors to attack Spanish shipping, had done so only to avenge the wrongs that the Spaniards had done to him and to a friend of his, and not merely to enrich himself and the nation he represented. This story has another defect: it shows Queen Elizabeth as condoning the hero's wrongdoing exploits. Giving the story such a twist at a time when the British nation is fighting for its life, not only with bullets but also with words in an effort to counteract the propaganda of its enemies, is, indeed, ill-advised, to say the least. The present version has no resemblance whatever to the Raphael Sabatini novel, upon which the first picture was founded; only the title is the same:—

Errol Flynn, a privateer, attacks a Spanish ship, which was carrying Claude Rains, an Ambassador of King Phillip (Montagu Love) of Spain, and Brenda Marshall, the Ambassador's niece, and confiscates its gold. The ship is sunk, but all those aboard are taken aboard the hero's ship. Upon reaching England, Rains protests and Queen Elizabeth (Flora Robson) reprimands the hero for having attacked a ship carrying an Ambassador. Brenda and Errol are attracted by each other. Errol persuades Elizabeth to let him sail for Panama, there to waylay the Spaniards, who intended to make a large shipment of gold to Spain, so that, with that gold, England might build a fleet to resist Phillip, who planned to attack England. But because his plans had been betrayed, Errol and his crew are captured and put on board of a galleon as oar slaves. At the Port of Cadiz, Errol and his crew manage to liberate themselves and to capture the ship. They then sail for England. With papers that he had obtained possession of, Errol, upon his return to England, proves that Henry Daniell, English Chancellor, was a traitor, working with Phillip. Daniell is arrested and Errol knighted. He then learns that Brenda had been in love with him for a long time. She refused to return to Spain when her uncle returned. Their marriage is blessed by Elizabeth.

Howard Koch and Seton Miller wrote the screen play. Michel Curtiz directed the picture. Some of those in the supporting cast are, Donald Crisp, Alan Hale, Gilbert Roland, J. M. Kerrigan and Ian Keith.

Suitability, Class A.

"Pier 13" with Lynn Bari and Lloyd Nolan

(Twentieth Century-Fox, Aug. 23; time, 65 min.)

A fair program melodrama, dealing with an honest policeman and with some crooks. There is some human interest in some of the situations, and the spectator is held in fairly tense suspense in some others. There is also a romantic affair:—

Patrolman Lloyd Nolan is assigned to the district surrounding Pier 13. On the first day he meets Lynn Bari and is attracted by her. Accompanying Michael Morris, a friend-detective, to Pier 13, where Morris was to watch the boat that had come from Europe so as to apprehend Douglas Fowley, notorious jewel thief and a cutthroat, he recognizes Fowley but Fowley escapes from his hands. For his alertness, Nolan is promoted to be a detective and is given the assignment of catching Fowley. Morris was to assist him. By using headwork, Nolan discovers that Joan Valerie, Lynn's sister had something to do with Fowley, but, whatever the connection might be, he felt sure that Valerie had been forced into it, against her will: Valerie was in love once with Fowley and when she discovered that he was a jewel thief she dropped him. Fowley, however, by threatening to tell that she had been "in" with him on one robbery, had made her keep silent. Upon his return from Europe, he again tries to use her, particularly to help him escape after committing another robbery at a store where Valerie herself worked. In running away from the police after the newest robbery, Fowley enters Valerie's house and compells her to hide him. By this time, Nolan is engaged to Lynn. While on duty he goes to Lynn's house and finds there Valerie, just as she had advised Fowley to leave the house to go to the boat that was to sail for South America. The barks of a dog, however, betray Fowley's presence and, after much maneuvering, Nolan shoots and kills Fowley, but not before receiving a bullet in his arm. Nolan is promoted, receives a reward, and marries Lynn. Valerie is not prosecuted, for Nolan learned by this time that she was innocent and protects her.

The story is by Barry Conners and Philip Klein; the direction by Eugene Ford.

Being a crook melodrama, it is Class B.

"Gold Rush Maisie" with Ann Sothern, Lee Bowman, Virginia Weidler and Slim Summerville

(MGM, July 26; time, 82 min.)

The story of a good-hearted show girl, stranded somewhere in Arizona, and joining a group of "Oakies" headed for the regions of a new gold strike has made just a fair program picture. Of what the characters do and plan nothing is outstanding. The most human character is the heroine, impersonated by Ann Sothern, who takes under her wing a family of poor "Grapes of Wrathers." A mildly interesting romance develops toward the end:—

Ann Sothern, a show girl, is headed for Hula Paradise Cafe, at Tuscon, Arizona, by the proprietor of which she had been hired. In the desert her car breaks down near Ghost City, and she seeks help from the hero, owner of acres nearby. The hero reluctantly gives her shelter for the night and in the morning, after a tiff, she departs, preferring to walk rather than endure the hero's surliness. On the way she meets a family of migrants headed for Ghost City, where a gold strike had been reported. The heroine uses her last money to buy food for the poor family. They strike a gold vein, just as others had struck. But the hero, knowing that the report of a gold strike had built the town but lack of paying values had made a ghost city out of it, has the ore assayed. The assays prove that the gold occurred in non-paying quantities. Naturally all are despondent. The heroine berates him for his callousness, but eventually he proves a good Samaritan; he offers his land to the migrants for cultivation, and to finance them with whatever money he had until they had raised a crop. The farmers are at first suspicious, but the heroine, who by this time had detected a heart of gold in the hero, persuades them to accept it. Her work finished, the heroine decides to depart for some city where she could find a job. The hero furnishes her with his delapidated car but purposely refrains from filling it up with gas so that, after a run of a few yards, the car stalls. It is then that the heroine realizes that the hero loved her and wanted her to remain.

The plot has been taken from an original by Wilson Collison; it was made into a screen play by Betty Reinhardt and Mary McCall. Walter Ruben produced it and Edwin L. Marin directed it.

Suitability, Class A.

"Stage to Chino" with George O'Brien

(RKO, July 26; time, 59 min.)

This is one of the best program westerns George O'Brien has appeared in; it has the ingredients that western fans go for—exciting fist fights, thrilling horseback riding, comedy and western music. The scenes in which the stage coaches of two rival companies race each other to their destination provide exciting moments. But the most thrilling are the closing scenes in which O'Brien, racing in a coach that had been falling apart, manages to jump onto the rival coach and stop it so as to transfer their load. There is a pleasant romance:—

O'Brien, a U. S. Postal Inspector who was travelling incognito, arrives in Chino to investigate what was causing the trouble to the line which held the government mail contract. He soon realizes that the rival company owned by the richest man in the county was behind the happenings. By posing as a man out of a job, he obtains a position with the line that had the mail contract, owned by Virginia Vale. Realizing that her regular driver had lined up with the rival company, she makes O'Brien the new driver. He gets the coach in on time, and everything works smoothly. The rival line's henchmen try to "get" O'Brien on different occasions, but he outwits them. The owner of the rival company, in an effort to put Miss Vale's line in a bad position, plans to steal the gold entrusted to her by the miners, which gold was supposed to be sent to the government for safe-keeping. But again O'Brien outwits him and gets the gold safely to the government office. He orders the arrest of all the men involved in the rival company. He and Miss Vale realize that they were in love with each other.

Norton S. Parker wrote the story, and Morton Grant and Arthur V. Jones, the screen play; Edward Killy directed it, and Bert Gilroy produced it. In the cast are Hobart Cavanaugh, Roy Bancroft, and the Pals of the Golden West.

Suitability, Class A.

"When the Daltons Rode" with Brian Donlevy, Randolph Scott, Kay Francis, Andy Devine, Broderick Crawford, Stuart Erwin, George Bancroft, Frank Albertson and Mary Gordon

(Universal, July 26; time, 79 min.)

A fast moving blood-and-thunder action melodrama, unfolding in the west. It deals with a group of brothers who are driven to outlawry. The action is highly exciting; so exciting, in fact, that at times one is held in tense suspense. The scenes of the bank hold-ups are such. The last scenes, where the brothers are killed one by one as they were leaving the premises of the bank they had just held up are the most thrilling. The direction and acting are of the highest standard. There is a romance, too, between Randolph Scott and Kay Francis:—

Surveyors of a big land company stealing land from the settlers inform the Daltons that their home was on land owned by their company, and Stuart Erwin, one of the quarrelsome Dalton brothers, incensed at the injustice of being robbed of their home, ropes one of the surveyors and drags him away. But the surveyor had struck his head on a stone and was dead. Randolph Scott, a lawyer friend of theirs, who had just come into town to start practicing, undertakes to defend Erwin. But the brothers, seeing that their brother would get no justice because of perjured testimony, grab Erwin and escape. Randolph agrees to meet them in a town nearby to seek another trial, but enroute the stage is held up by masked bandits, who said that they were the Daltons. When Scott tries to unmask them, the bandits knock him unconscious. The Dalton brothers reach town and are arrested as bandits. But they shoot their way out. From that time on, they turn bandits, robbing banks and terrorizing the region. Eventually they are all killed, and Randolph and Kay decide to marry; Kay had been engaged to one of the Dalton brothers, but after meeting Randolph she fell in love with him.

The plot was taken from a book by Emmet Dalton; the screen play was written by Lester Cole and Stuart Anthony. The picture was directed by George Marshall with skill.

Because of the fact that the picture deals with bank robbers, it is not suitable for children, although those who will see it will cheer it. Class B.

Radio with television are formidable competitors to the motion picture.

These are the thoughts that will stand most in the minds of those who have read that article.

If enemies of the moving picture industry should have engaged a person to write an article detrimental to moving pictures, they could not have found a person to do a better job than has been done by Sam Goldwyn; he has succeeded in planting into the minds of the public that the motion picture industry is about to collapse.

How much this thoughtless article of Goldwyn's is going to cost the theatres is hard to compute; I venture to say, however, that the theatres will lose more money than the profits they have made from the pictures that Mr. Goldwyn has produced from the time he began producing individually. And it will take years before this article's harmful effects will be offset.

What good is it for him, or for anybody else, for that matter, to discuss industry problems in mediums that are read by the public? What can the public do to put an end to an unfair industry practice that is the result of other unfair practices? I doubt whether we can find an exhibitor who would be unwilling to drop double bills if he could make a decent living without them. In almost every case an exhibitor resorts to double-billing as the only means by which he could conduct his theatre profitably: his competitor, either started double-billing, or kept the choice product away from him, with the result that nothing except double billing could have his business.

Would Mr. Goldwyn, were he a theatre owner, refrain from resorting to double-billing to save his business from so unfair a competition?

The motion picture industry has been very nice to Mr. Goldwyn; it has enabled him to amass riches, and to gain prominence. But how is he repaying it?

The organized exhibitors should protest at once against articles of this kind.

A MEANING STATEMENT BY ABRAM MYERS ON THE CONSENT DECREE

In a bulletin dated July 25, issued from the Washington Allied headquarters, the following is said on the question of the consent decree:

"The Big Eight are doing everything possible to break down the Government's insistence on an effective consent decree. In so doing they are following their usual tactics of using independent exhibitors to pull their chestnuts out of the fire. Directly and through trade papers they are seeking to have such exhibitors go on record against provisions allegedly contained in the draft. No opportunity is afforded the exhibitors to consider such alleged provisions in the light of the plan as a whole. Nor are the considerations favorable to such provisions given publicity.

"It is to be hoped that Allied members will not fall for this ancient device for obstructing reform by a showing of apparent division in exhibitor ranks. The Department of Justice has shown a

real concern for the welfare of the independent exhibitors. Their interests are in good hands. The Department should be supported in its efforts—that is, so long as it stands up in the face of the onslaughts of the Big Eight. If the Department should weaken, then the fight will have to be renewed in a wider arena.

"The companies that are doing all in their power to thwart the Government and to discredit its efforts to enforce the law can not retain public good will and confidence merely by releasing a few patriotic trailers."

The delay in the signing of a consent decree has been caused by Columbia, United Artists and Universal, on the ground that they own no theatres, and for that reason they have not been guilty of any monopolistic practices. To sign a consent decree, they say, is to admit that they have been guilty of such practices. This they are unwilling to do, preferring to take their chances on a trial.

The trial has been postponed till the fall, and I understand that, should all the producers come to an agreement with the Government, Judge Goddard is ready to return from his vacation to take part in the final act, dismissing the equity suit.

The Big Five want to sign, as I understand, because of their desire to save the cost of a trial.

PICTURES NOW IN PRODUCTION

Columbia

"NOBODY'S CHILDREN," with Walter White, Edith Fellows, Lois Wilson, Billy Lee and others. Double-bill.

"BLONDIE GOES TO THE COUNTRY." Program.

Metro-Goldwyn-Mayer

"THIRD FINGER-LEFT HAND," with Myrna Loy and Melvyn Douglas. It is the story of a smart woman who, in order to hold her job, invents a mythical husband. Many complications arise from the innocent deception, but it eventually results into a marriage. There are opportunities for a fine comedy. The story suits the stars extremely well.

Paramount

"LOVE THY NEIGHBOR," with Jack Benny, Fred Allen, Mary Martin, Verree Teasdale and others. Good to very good.

RKO (Radio) Pictures

"I AM STILL ALIVE," with Kent Taylor and Linda Hayes. Program.

"MEXICAN SPITFIRE OUT WEST," with Lupe Velez, Donald Woods, Leon Errol and others. Program.

Universal

"MAN FROM CHEYENNE," with Johnny Mack Brown, Fuzzy Knight and Nell O'Day. Program western.

Warner-First National

"CALLING ALL HUSBANDS," with Ernest Truex. Double-bill.

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A PROBLEM THAT SHOULD INTEREST EVERY EXHIBITOR

In a recent column of his, Jimmy Fidler, the well known radio commentator and newspaper columnist, stated that a group of boys ranging between the ages of twelve and eighteen visited him in Hollywood recently and asked him to intercede for them to the end that the picture theatres charge them one-half the adult admission price, instead of the full price, as is now frequently the case.

Mr. Fidler said partly the following in his column:

"The spokesman for the youngsters who sat across my desk said: 'We don't have jobs. We depend on our parents for spending money. We are at the age when our clothes, education and other needs cost our families the most. We don't have the money to pay adult prices, and theatres are unfair to expect it.'

"We have always enjoyed the movies as kids under 12, and our families usually gave us the price of a ticket when we could get in for half fare. But, gosh, when a fellow has to pay 40 or 50 cents instead of 15 or 20—well, we just can't go even though we'd like to. . . ."

Commenting on this matter, *The Pacific Coast Showman* said partly: ". . . we do know that Fidler has hit on something which is a very big problem to every girl and boy 'in their teens.' We also know that many shrewd showmen are helping the youngsters solve their problem by having a special student body admission price considerably lower than the regular adult admission price.

"We are of the opinion that the question is one which should be given due consideration both by the individual exhibitor; the various exhibitor organizations and the industry in general. . . ."

Charging a lower admission price for school boys between the ages of 12 and 18 is not the proper way of solving this problem; there are boys of these ages who can afford to pay the full price far more easily than can even adults, and there is no reason why they should not pay it.

In the opinion of this paper, there are two ways of handling this problem: either through the teachers, who should determine whether a boy or girl could or could not pay the full price, or through a student body composed of the leaders of all classes. A special pass, bearing the photograph and signature of the student involved, should be sufficient to admit him at one-half the price.

Such boys and girls who attend continuation schools or night classes of other schools should be admitted at one-half the price without any investigation as to their financial standing; the fact that they attend schools of this type should be sufficient proof that they are entitled to a special pass.

To make such a system effective makes, of course, necessary the cooperation of the distributors, but I am sure that no distributor will withhold his approval under these circumstances. Besides, it is to their interest to offer their cooperation to the fullest extent, for picture-going is a habit: once a person stops going to pictures for a while, it takes a very big picture, or some picture in which he is particularly interested, to bring him back. Making it possible for all boys and girls to continue going to pictures is no less than an investment, the kind that will bring returns innumerable times the cost.

Even if the question were to be considered only as to the effect it would have on the theatre receipts now it would be worth making the sacrifice, for it would create much good will in addition to bringing in additional revenue.

PICTURES OF EXCESSIVE LENGTH

Because Dave Selznick has produced a picture of extraordinary length and that picture went over, many producers feel that they must produce long pictures in order that they may impress the exhibitors as well as the public. The result is that often a picture is "padded" to such an extent that the entertainment values either are lost in the excessive padding, or hurt even though the picture may be a first class entertainment.

A case in point of unnecessary length is "All This, and Heaven Too"; in this instance excessive length is not necessary to convince any one that the picture is a first-class entertainment, for it is that and nothing else. But its length is freakish—two hours and twenty minutes of running time. It would have been far better for exhibitor, distributor and public if it were reduced to anywhere between one hour and forty minutes to two hours at the most; it would entertain even better and give a chance to the exhibitors to accommodate its running time in their programs so that their patrons may not either gulp down their food or go without dinner to see the picture starting at the beginning, instead of at the middle.

Writing on the subject of "over-shot" pictures in his July 18 issue of *The Hollywood Reporter*, Mr. W. R. Wilkerson said partly the following:

"The tendency, in our higher producer ranks, to cause screen plays to be over-written and, as a result, over-shot, seems to be growing by leaps and bounds, and right at a moment when the demand is to toss out all unnecessary expense in an effort to get negative costs down to a figure that our American market can pay out. We've seen several pictures recently that were greatly over-written and over-shot, simply to satisfy the personal vanity of the producers assigned to those pictures. And it looks as if the evil is now getting contagious.

(Continued on last page)

"Young People" with Shirley Temple, Jack Oakie and Charlotte Greenwood

(20th Century-Fox, Sept. 27; time, 79 min.)

Good! Although the story is lightweight, it has plentiful human interest, a few good musical numbers, comedy, and engaging performances. Shirley is not depended upon to carry all the burden; she is given excellent support by Jack Oakie and Charlotte Greenwood. The picture certainly gives every indication that Shirley's talents have not diminished; instead, she shows real development as a dancer, and as a comedian. Even in her numbers with Oakie and Miss Greenwood, seasoned troupers, she holds her own very well. A romance has been worked into the plot, but it is unimportant:—

Oakie and Miss Greenwood, a husband-wife vaudeville team, take over the care of a baby whose parents, who had been their good friends, had died. In a few years the child (Shirley Temple), now grown, becomes the third member of the act. Oakie and Miss Greenwood, who loved Shirley as their own, haven't the heart to tell her that they were not her real parents. By the time Shirley is eleven years old, her foster parents decide that it was time for them to settle down and give the child a real home. They retire from vaudeville, and leave for a Vermont farm that was owned by Shirley's father. They look forward with joy to their new life, hoping to make real friends and take an active part in the community. But they find most of their neighbors narrowminded and mean; their offers of friendship and help are met with snickers and sneers. Unable to bear up under the strain any longer, they prepare to leave, to go back to vaudeville. On their way to the station during a rain storm, they come upon a group of their neighbor's children, stranded in the storm. Oakie gets them to a safe place and then risks his life to go after one of the little boys, who was lost. He finds him. The neighbors, ashamed of themselves, and grateful for what Oakie had done, offer their friendship and urge them to stay. They do stay and Oakie becomes the town's leading citizen.

Edwin Blum and Don Ettlinger wrote the screen play, Allan Dwan directed it, and Harry Joe Brown produced it. In the cast are Arleen Whelan, George Montgomery, Kathleen Howard, Minor Watson, and others.

Suitability Class A.

"Military Academy" with Tommy Kelly and Bobby Jordan

(Columbia, July 18; time, 66 min.)

This comedy-drama of life at a military academy follows the familiar pattern used in pictures of this type. The comedy is provoked by the methods employed by upper-classmen in showing their superiority over newcomers; but this has been done in so many pictures that it has lost its amusing power, becoming a little tiresome. It has some human appeal, however, because of the sympathy one feels for Tommy Kelly when his classmates learn that his father was a former gangster. Young boys may enjoy the picture because of the athletic activities shown. There is no romance:—

Tommy Kelly's father (Don Beddoe), a former gangster, sends his boy to a military academy under an assumed name in order to spare him of humiliation. Tommy is befriended by Bobby Jordan, a tough youngster, but Bobby gets into trouble because of his impetuosity. Bobby, having been ordered off the track team because of his poor standing in his studies, and fearing lest his team would lose at an important meet, rushes into the race against orders. He cannot understand why his school-mates frown at him instead of cheering him for having won. But in time he learns to respect rules of sportsmanship and becomes well liked. Through an accident, Jackie Searl, a bullying upperclassman, finds out who Tommy's father was and spreads word amongst the boys not to talk to him. Bobby and Tommy's other room-mate stick by him. When Beddoe learns what had happened, he calls at the school and vents his wrath on the head. Eventually Tommy proves to be a good sport and is accepted by all.

Richard English wrote the story, and Karl Brown and David Silverstein the screen play; D. Ross Lederman directed it, and Wallace Macdonald produced it. In the cast are David Holt, Edward Dew, Jimmy Butler, and Walter Tepley. Suitability Class A.

"Pastor Hall" with Wilfrid Lawson

(Charter Film-United Art., Date not set; time, 105 min.)

This British-made drama of Nazi persecution against their own countrymen is a deeply stirring picture. Considering the fact that it has received much publicity, since it is presented by James Roosevelt, it may fare better than the other pictures based on Nazi terrorism. The picture is pow-

erful propaganda against the new order of things in Germany, and against everything that Nazism stands for. It is not a cheerful picture; as a matter of fact one gets all clicked up watching the scenes of suffering and torture inflicted by the Nazis on innocent persons, and one remains in a somewhat nervous, apprehensive state throughout. Nevertheless the courage and sacrifices made by Pastor Hall in defying the Nazis should inspire all those who may see it. In the closing scenes, where minister Hall preaches his last sermon against hatred and intolerance, knowing that when he concluded he would be killed, one is touched deeply. A charming romance is worked into the story:—

Pastor Hall (Wilfrid Lawson) and his young daughter (Nova Pilbeam) were respected and loved by their neighbors in a small German village where they lived. Although Hitler had come into power, orders had not reached the happy village and so life continued in the easy, happy manner of heretofore. But everything changes when the Nazi leaders finally arrive. The people are naturally forced to comply with the new orders, mainly because of fear. Pastor Hall is warned by Storm Troop leader Gerte (Marius Goring) to refrain from expressing his anti-Nazi views. Although the Pastor had officiated at the funeral of a young German killed by the Storm Troopers, Gerte refrains from arresting him because he desired the Pastor's daughter Christine. But she was engaged to Werner (Brian Worth) who shared her views of the Nazis. Learning that Pastor Hall intended giving a sermon against the Nazis, Gerte arrests him and has him sent to a concentration camp, where he is tortured along with other innocent men. One of the Storm Troopers, who knew the Pastor from the old days and loved him, effects his escape. The trooper is killed but Christine and Werner rush the Pastor away in an automobile. When the Pastor recovers his strength, he refuses to go away, despite Christine's pleas. Instead he goes to the church, ousts the Nazified pastor, and gives his last sermon, reaffirming his faith in God and against the Nazis. He walks out of the church knowing that the Storm Troopers waited outside to kill him.

The plot was adapted from the story by Ernst Toller; Leslie Arliss, Anna Reiner and Haworth Bromley wrote the screen play, Roy Boulting directed it, and John Boulting produced it. The cast is all English.

Suitability Class A.

Editor's Note: You had better check up the running time of this picture because this reviewer saw it when the picture was not edited finally.

"Laughing at Danger" with Frankie Darro and Roy Hodges

(Monogram, Aug. 12; time, 61 min.)

This is another one in the series in which Frankie Darro plays the part of an amateur detective. It is a moderately entertaining picture, with a far-fetched plot. Intelligent audiences will laugh at the inconsistencies, particularly at the idea that a young boy could outsmart experienced detectives and solve the mystery surrounding two murders and a blackmail plot. But many picturegoers may enjoy it, for, in addition to the mystery angle, it has comedy; it is provoked by the hero's negro assistant, who becomes frightened at the least sound:—

Frankie, pageboy at a beauty parlor, spends most of his time working on an invention. His assistant (Mantan Moreland) helps him perfect it. While working on the machine in the basement of the beauty parlor, they are shocked when the dumbwaiter opens and the body of one of the operators tumbles out. Frankie, who imagined himself to be a great detective, sets to work on the case, thereby getting in the way of George Houston, police detective. Another murder occurs the following day in the same mysterious manner. Frankie learns that the murders were in some way connected with a blackmail plot. He insists that Moreland, who was quite frightened, work with him on the case. Frankie discovers a hidden microphone system hooked up in the booths where the customers had their work done. By checking further, he learns that records were made of conversations, and that the records were later used to blackmail the customers. He tries to convince Houston that he had found the solution to the mystery, but Houston pays no attention to him. Eventually Frankie's theory is proved correct: Houston learns that the owner of the beauty parlor and her assistants were in reality blackmailers, and that they had killed the two operators, because they became aware of their criminal activities.

Joseph West wrote the story, and he and John Kraft the screen play; Howard Bretherton directed it, and Lindsley Parsons produced it. In the cast are Kay Sutton, Guy Usher, Lillian Elliott, and others.

The murders make it unsuitable for children. Suitability Class B.

(RKO-March of Time, rel. date not set; time, 88 min.)

"Doomed to Die" with Boris Karloff, Grant Withers and Marjorie Reynolds

(Monogram, Aug. 5; time, 66 min.)

A mildly entertaining program murder-mystery melodrama. The routine plot unfolds in so obvious a manner that one loses interest in the outcome. The production values are on the same level as they were in the other pictures in the "Detective Wong" series, and the performances are on a par with the material. Most of the comedy is provoked by the bickering between a detective and a young girl who tries to outwit him:—

When the millionaire head of a large shipping concern is killed, the police arrest William Stelling, for he had been the last person seen with the victim, and had been heard quarreling with him because the murdered man had refused to give his consent for Stelling to marry his daughter (Catherine Craig.) Although Stelling insisted he was innocent, Grant Withers, the police sergeant, books him on a charge of murder. Marjorie Reynolds, a newspaper reporter and a friend of Miss Craig's, calls in Boris Karloff, master Chinese detective, to help solve the case. He learns that a certain Chinese tong leader had been one of the passengers on the ship that had gone down, and that he had been smuggling into the country a million and a half dollars in bonds; Karloff learns further that this man had been saved but had disappeared. He calls at the tong leader's home, and is surprised to find the man dead—murdered. Although his life is endangered, Karloff proceeds with the case, finally solving it by proving that Miss Craig's father's lawyer was the murderer; helped by another man, he was trying to get control of the bonds.

Hugh Wiley wrote the story, and Ralph G. Bettinson, the screen play; William Nigh directed it, and Paul Malvern produced it. In the cast are Melvin Lang, Guy Usher, and others.

The murders make it unsuitable for children. Suitability Class B.

"Golden Gloves" with Richard Denning, Jean Cagney and Robert Paige

(Paramount, Aug. 2; time, 68 min.)

A fair program melodrama centering around amateur boxing. Although the story is routine, the picture may have a better than average chance at the box-office because of the title, which is the name given to the Daily News annual amateur boxing contest, known to boxing enthusiasts nationally. Gangsterism plays a part in the story. The romance is routine:—

Disgusted when his newspaper refuses to print a story about the death of a young fighter, who, urged on by Naish, a racketeering fight promoter, had entered into a boxing match against his will, Robert Paige resigns from his position. The death of the young boy brings grief to Richard Denning, an amateur fighter, who was in love with the boy's sister (Jean Cagney). Since Denning had taught the boy how to fight, Miss Cagney denounces him and orders him out of her home. Paige goes to work for another newspaper. He induces the publisher to allow him to line up the young amateur fighters, for the purpose of starting an amateur boxing contest, free from racketeering, to be held annually, so as to give all boys a chance to fight. But Denning, who had become reconciled with Miss Cagney, cannot join because of his promise to Miss Cagney to stop fighting. Paige finally convinces Miss Cagney that Denning should sign up for the contest for the sake of the other boys, who followed whatever he did. The contest starts off well and attracts amateur fighters from all over the country. Naish, in an attempt to discredit Paige, enters a professional fighter under an assumed name, his plan being to have his man win the contest and then divulge the trick, thereby making Paige the laughing stock of the country. He also leads Denning to believe that Paige was trying to win Miss Cagney away from him. Miss Denning learns the trick about the professional fighter and, instead of telling Denning about it, urges him to win for her sake. He wins, thereby helping the cause. He realizes that he had misjudged Paige, whose newspaper had furnished a home for Miss Cagney and Denning in appreciation for their co-operation. Naish is arrested on a murder charge.

Maxwell Shane wrote the story, and he and Lewis R. Foster, the screen play; Edward Dmytryk directed it, and William C. Thomas produced it. In the cast are William Frawley, Ed Brophy, and others.

Not for children. Suitable for adolescents and adults. Suitability Class B.

"The Villain Still Pursued Her" with Anita Louise, Alan Mowbray and Richard Cromwell

(RKO, Rel. date not set; time, 66 min.)

This farce, based on the old-fashioned melodrama "The Drunkard," is comical in spots because of the over-acting and heavily burlesqued story treatment. But for the most part it is tiresome, giving proof again that what might be a hit on the stage, in the proper atmosphere, does not insure similar results for a motion picture. Despite the introductory speech made by Billy Gilbert explaining the story and asking the audience to join in the spirit of the fun, it will be difficult to warm up an audience, particularly a critical one. It must be remembered that even the play was not presented in the routine manner, but played before an audience seated around tables where beer was served. The chances are that an audience of that type would be more receptive to such a farce than would be a regular theatre-going audience. The most comical part of the picture is that in which the players indulge in the old-fashioned business of pie throwing:—

The story, which, of course, is not meant to be serious, tells of the woes of Anita Louise, whose young husband (Richard Cromwell) had taken to drink. He had been an upright young man until the villain (Alan Mowbray), who wanted to gain possession of his fortune, made a drunkard of him. Cromwell sinks lower and lower until he finally wanders in the city, a penniless wretch. But his best friend (Buster Keaton) finds him and with the aid of a well-known philanthropist (Hugh Herbert) helps Cromwell to rehabilitate himself. Mowbray is caught trying to collect money on a check he had forged and sent to prison. Cromwell is happily reconciled with his wife and child.

Elbert Franklin wrote the screen play, Edward Cline directed it, and Harold B. Franklin produced it. In the cast are Joyce Compton, Margaret Hamilton, Diane Fisher, Charles Judels, and others.

Suitability Class A.

"Chamber of Horrors" with Leslie Banks and Lili Palmer

(Monogram-British Made, Aug. 12; 79 min.)

"Chamber of Horrors" should find a spot in the program of any exhibitor whose audiences like horror pictures, for it gives one the creeps. One is held in pretty tense suspense throughout.

The story revolves around an eccentric English gentleman who, when he dies, leaves his fortune buried in the family vault, the door of which had seven locks and could not be opened without all seven keys. There is intrigue on the part of nefarious characters who plot to obtain possession of the keys with the object of rifling the burial vault, and who, in order to lay their hands on these keys, resort to abduction and even murder, until finally they pay the penalty for their misdeeds; the hero and the heroine, aided by Scotland Yard detectives, thwart their efforts. The archconspirator takes poison rather than let himself be arrested.

The plot has been based on the Edgar Wallace novel "The Door with the Seven Locks"; it was put into screen-play form by Norman Lee and Gilbert Gum. Norman Lee himself directed the picture.

Suitability Class B.

"The Ramparts We Watch"

(RKO-March of Time, rel. date not set; time, 88 min.)

Not a very interesting documentary film, intended to arouse the American people in favor of preparedness, it seems. Not even as interesting as the weakest of "March of Time" two-reelers. The reason for it is the fact that, whereas each release of "The March of Time" shows something new, something that the spectator has not seen or heard of before, "The Ramparts We Watch" deals with past events, with events with which the majority of those who go to the theatres are in some way familiar. The picture is a series of scenes, some taken from newsreel libraries, and some reproduced with people who have never acted before the camera. The result is that most of the acting in the new scenes is amateurish. The picture might have got by had it been in three reels at the most, but in eight reels it becomes so boresome that, the message the producers intended to convey, whatever that message is, is lost.

This paper does not advise against booking this picture, for it is given extensive exploitation; only that the exhibitors should watch to see how it will take in the first early run theatres where it will play.

Suitability, Class A.

"There should be no wail from anyone in this business—much less this desk—on the length of any picture IF there is entertainment in each and every foot of its length. All pictures should be permitted sufficient footage to tell the story. BUT when some pictures are terrifically over-shot, solely to please the vanity of the producer, who believes an average length production is only given average rating by his Hollywood backslappers; when that over-length actually ruins what would otherwise be a good picture, then studio heads should and MUST call a halt to this practice, to save ENTERTAINMENT principally, in addition to reducing costs that, under present conditions, are getting out of control. . . ."

Few exhibitors realize the cost of "over-shot" pictures; when the salaries run into thousands a day, ten to twenty days over-shooting in a big picture amounts to a fortune. Adding to this the extra cost of negative film, and of the unnecessary footage in the positives, and you will realize at once the seriousness of such a condition.

There are times when retakes are necessary—no one can object to that; the objection is for the unnecessary reshooting of scenes, as well as for the shooting of scenes, not because the story requires it, but because some one is trying to make as long a picture as some one else.

The producers have been asking the cooperation of the exhibitors to overcome the losses from the foreign market; it is about time that the exhibitors asked the cooperation of the distributors for the elimination of the waste at the studios.

THE AUTOMATIC RENEWAL CLAUSE IN THE NEWSREEL CONTRACTS

The following item appeared in the July 23 Bulletin of The Independent Theatre Owners of Ohio, under the heading, "Newsreel Contracts":

"Most of the newsreel contracts contain automatic renewal clauses which means that, unless the exhibitor notifies the distributor at least thirty days prior to expiration of one year from the first date of exhibition, the contract renews itself each year until such notice is given.

"Therefore, in the event that you do not desire the service for another full year, you should notify the distributor, *by registered mail*, at least 30 days before the expiration of the contract.

"However, the safest way to handle this matter is, upon receipt of an approved newsreel contract, to immediately notify the distributor, *by registered mail*, of your desire to cancel at the end of the one year period."

In the event that you send your notice of cancellation as Pete Wood suggests—immediately upon receipt of your approved contract, I suggest the following wording in the cancellation letter:

"In view of the fact that the automatic renewal clause in your newsreel contract has been inserted for the convenience of your company, and in view of the fact that it is too early for me to know whether I shall desire to continue receiving your newsreel for another year after the one-year period, I am sending you a notice of cancellation now and ask you to consider such cancellation as sent in accordance with the cancellation provision of our contract.

"I am taking this means so as to protect myself

in the event I overlooked sending my cancellation on the last day of grace.

"If you should so desire, you may send me a notice of the approaching day of expiration at least thirty days before such expiration, and I shall be glad to inform you whether or not I shall desire to have you continue sending me your news."

By this method, you avoid causing hard feelings between you and the distributor, and place the burden of notice upon him. The distributor has greater facilities for remembering such matters than have you.

PICTURES NOW IN PRODUCTION

Columbia

"I'M FOR RENT," with Anita Louise. Program.

"INTO THE CRIMSON WEST," with Bill Elliot. Double-bill.

Metro-Goldwyn-Mayer

"GO WEST," with the three Marx Brothers, Lynne Carver, Marion Martin, Robert Barrat and others, directed by Eddie Buzzell. The usual results with the Marx Brothers.

"LITTLE NELLY KELLY," with Judy Garland, George Murphy and others, directed by Norman Taurog. Good program.

Paramount

"D.O.A.," with Ellen Drew, Phillip Terry, Joseph Calleia, Paul Lukas and others, produced by Jack Moss. Mr. Moss produced "The Biscuit Eater," but even though the picture was deeply appealing it did not do much at the box office, chiefly because of the title. The present title is equally poor and should be changed.

"SECOND CHORUS," with Fred Astaire, Paulette Goddard, Artie Shaw, Charles Butterworth and others, directed by H. C. Potter. Probably good results at the box office.

RKO (Radio) Pictures

"WAGON TRAIN," with Tim Holt. Double-bill.

Twentieth Century-Fox

"THE CALIFORNIAN," with Tyrone Power, Basil Rathbone, Eugene Pallette, J. Edward Bromberg, Linda Darnell, Montagu Love and others, produced by Kenneth McGowan, and directed by Robert Mamoulian. This is a remake, having been produced originally in 1920 as "The Mark of Zorro," with the late Douglas Fairbanks as a swash-buckling hero, defending the weak and fighting those who were persecuting them. It made a fine picture and did excellently at the box office, because the action was very fast and thrilling. A synopsis of the present story is not available, but Mr. Power has neither the agility of the late Douglas Fairbanks nor his popularity. In all probability the picture will do a fairly good business.

Warner-First National

"EAST OF THE RIVER," with John Garfield, Brenda Marshall, Marjorie Rambeau and others, produced by Harlan Thompson, and directed by Alfred E. Green. Mr. Green is a fine director and, give him a good story, he could make a good picture. It should draw in accordance with Mr. Garfield's popularity.

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HERE AND THERE

I ASKED BILL RODGERS, of MGM, whether advancing the admission prices for "Boom Town" meant an advance also in the percentage that Metro will demand from the exhibitors, and he said "NO!" As a matter of fact, he said, the number of percentage pictures for this season's product is not even by one picture greater than last season's number: so is the case as to the number of pictures for each classification.

To find out whether the public will stand for higher admissions on "Boom Town," Loew's, Inc., is making tests in several spots throughout the country. "After all," Nicholas Schenck said, "an important question is at stake which is whether we can afford to repeat the process of grouping outstanding stars in one picture (Clark Gable, Spencer Tracy, Claudette Colbert, Hedy Lamarr) such as we have done in 'Boom Town.' The results in revenue alone will determine this."

Commenting on Mr. Schenck's statement, Jay Emanuel, publisher of *The Exhibitor*, (Philadelphia, Washington, New York and Boston), said partly: "In short, Metro, determined to make up its foreign losses in some manner, is facing the issue squarely. . . .

"Metro . . . takes the stand that increased revenues should come not from higher percentages, but from greater earning power of the pictures."

The other major companies should take a leaf from the Metro-Goldwyn-Mayer book; they should try to increase their revenue, not from increasing the number of their percentage pictures, but from bigger admission prices.

In order for the exhibitors to be able to charge higher admission prices, however, it is necessary for the producers to make pictures that will stand such an increase. Can they do it? On that rests the answer whether they will be able to recover from the domestic market what they have lost from the foreign market. "Ballyhoo" alone is not enough to make a picture great; it must be founded on a great story.

* * *

RECENTLY IT WAS ANNOUNCED that Harry Brandt, the New York exhibitor who never lets an opportunity go by to attack the Allied leaders, has gone into production; he has made a deal with RKO for the distribution of the two Charles Boyer pictures that he is going to produce.

You might be inclined to remark that Harry Brandt should have stuck to his last: being an exhibitor, what does he know about production? For this reason, he should have decided to remain an exhibitor.

But this is a crazy business. When the announcement was made that Jules Levey, formerly sales manager of RKO, was going to become a producer, many of you might have remarked: What does Jules Levey know about making pictures? He is a distributor, and should have remained a distributor.

And yet his first picture is proving to be a great success: "Boys from Syracuse" is breaking records already.

And to spite the doubters still more, Jules has announced that he has bought "Hellz a Poppin" for \$200,000.

I have heard it said: "Why should he have paid so much money for a stage play that has no story? It is just a collection of vaudeville sketches!"

I myself have said often that the best stage production that was ever put on Broadway is not worth for the screen \$200,000. I have seen so many \$200,000 stage productions flop on the screen!

But what difference does it make really what is paid for a story if it has the values?

It is true that, what Jules Levey is buying is, not a story, but a title and a reputation; at the time of writing this editorial, "Hellz a Poppin" has had its 822nd run on Broadway. In all probability, Jules will spend perhaps another \$200,000 to have a story written around the title, and may be another \$400,000 for producing the picture. But if the picture should click, \$400,000 spent on the purchase and preparation of a story is not too much. Unfortunately, pictures for the stories of which \$400,000 is spent do not always "click."

Coming back to our friend Harry Brandt, we may say this: Since this is a crazy business, Harry may surprise us, just as Jules Levey has surprised us. The difference, however, is this: If Jules should make a "bloomer," there will still be exhibitors who will want to book it just to help a new producer, and with the hope that he might produce another "Boys from Syracuse."

Your first picture had better be good, Harry!

* * *

GEORGE SCHAEFER HAS SURPRISED many an industry wiseacre. When he took charge of RKO, the company hardly had money enough to carry on production; today, RKO has more pictures than it can handle. As a matter of fact, Schaefer is turning down offers for releasing agreements on pictures, because he has already the number he wants.

If the consent decree should be signed and block booking is confined to no more than five pictures at a time, sold after being made, RKO will suffer less inconvenience than any other company with the exception of United Artists, for Schaefer has almost adopted the unit system of production, and the pictures of each unit can be sold as a group. In no instance, it seems to me, will there be more than five pictures produced by a unit; it looks as if four will be the limit.

HARRISON'S REPORTS has been advocating the production decentralization for many years. It is the only method by which the quality of the product will improve. Let each unit be responsible for the quality of pictures it produces, and let each such unit participate in the profits: if the pictures make profits, it is not more than right that the members of each unit—stars, cast, director, producer—should receive returns commensurate with their knowledge and efforts.

This paper hopes that George Schaefer will not stop at this point; he should carry the unit system all the way.

* * *

WARNER BROS., according to my reliable information, has spent \$1,900,000 on "The Sea Hawk."

One million and nine hundred thousand dollars on a picture nowadays is a lot of money to spend and this paper hopes that the picture will click for the benefit, not only of the producer, but also of the exhibitor.

But before a producer can get so much money back from a picture with a reasonable amount of profit, it is necessary for the exhibitors to increase their admission prices.

An exhibitor wrote me recently that pictures gained their popularity because of the low cost of the entertainment, and he objected to increasing the admission prices.

What the exhibitor has said is true; unfortunately, that was at a time when the most massive picture did not cost more than \$150,000—there were no unions to hold the producers by the throat, and the characters did

(Continued on last page)

"Girl from Avenue A" with Jane Withers and Kent Taylor

(20th Century-Fox, August 9; time, 73 min.)

This program comedy will probably go over with the Withers' fans, for Jane gives a good performance and is hardly ever off the screen; but the general run of audiences, particularly adults, may be slightly bored by the old-fashioned story and silly action. It was produced by Fox in 1931 under the original title "The Brat"; it was good entertainment then. But this version is weaker. In the first version, Sally O'Neill appeared as the heroine, and a romance developed between her and the hero; but, since Jane takes the heroine's part now, there is naturally no romance. The action takes place in the old days and the costumes are of the old-fashioned type:—

Jane, an orphan, hungry and penniless, orders dinner in an Italian restaurant. Being unable to pay for it, she offers to entertain the customers; but the owner refuses. She runs away and hides in a carriage. Kent Taylor, a playwright, pays her check and then rushes out in search of her. He finds her in the carriage and induces her to accompany him to his home, his purpose being to study her speech and mannerisms so as to write a play about her. Jane is extremely grateful and enjoys living amid the luxurious surroundings, although she did not like Taylor's fussy mother (Laura Hope Crews). She does, however, like his young brother (Rand Brooks). She induces Brooks to give up drinking, and to live a decent life. Miss Crews plans a big charity show, in which Jane was to take the leading part. But the night before the affair, Jane reads the play and is heartbroken to find that Taylor had ridiculed her. She runs away, but before going back to her poor surroundings pays a visit to wealthy Jessie Ralph, who showed an interest in her. Miss Ralph induces her to appear in the play and to live with her thereafter. Katharine Aldridge, a young society girl who hated Jane, has her servants kidnap her so that she might take her place in the show. But Jane escapes and rushes to the stage; there she fights Miss Aldridge and pulls the costume off her. She is happy when Taylor tells her that he admired her. Brooks leaves for the West, promising to see Jane again.

The plot was adapted from the play by Maude Fulton; Frances Hyland wrote the screen play. Otto Brower directed it, and Sol M. Wurtzel produced it. In the cast are Elyse Knox, Harry Shannon, Vaughan Glaser, Ann Shoemaker, George Humbert.

Suitability, Class A.

"I Love You Again" with William Powell and Myrna Loy

(MGM, August 9; time, 98 min.)

Very good entertainment for all types of audiences. It combines comedy, with romance and suspense. The direction is skillful, the performances engaging, and the dialogue, although a bit risque in spots, is bright and amusing. Some of the situations are so comical that they should provoke roars of laughter. As a matter of fact, one is kept chuckling almost throughout. The story idea may not be new; but it has been given so clever a treatment that it holds one's interest from beginning to end:—

William Powell, supposedly a pompous bore, is returning home from a European trip. He abstains from drink, and shows annoyance with Frank McHugh, a fellow passenger, who is always drunk. McHugh falls overboard and Powell throws a life buoy to him. The end of the rope, however, entangles his foot and pulls him overboard. Yet everybody thinks he had jumped in to the water to save McHugh. The oar of a sailor in the boat that had been lowered to rescue them hits Powell on the head and he faints. When he comes to, he remembers nothing; he questions McHugh and from his answers realizes that for the previous nine years he had been a victim of amnesia. He remembers that he was a confidence man before becoming an amnesia victim and, finding that McHugh was one of his kind, formulates plans with him for the future. He decides to go back to the small town where he had lived as a respectable citizen so as to pull a phoney oil deal by using some property he owned. To his surprise and pleasure, he finds waiting for him at the dock his wife (Myrna Loy); he naturally did not know her but does not let on. He is disappointed when she tells him she had decided to divorce him so as to marry some one else. Determined not to lose her, he induces her to return to their home for a few weeks. In the meantime, he and McHugh have their hands full, picking up information as to his habits during the nine years to prevent him from slipping. Powell is about ready to go through with the oil deal; but he changes his mind because of his love for Miss Loy. She finds out all about him and is happy, for she had grown to love him for himself. They are happily united.

Octavus Roy Cohen wrote the story, and Charles Led-

erer, George Oppenheimer and Harry Kurnitz, the screen play; W. S. VanDyke II directed it, and Lawrence Weingarten produced it. In the cast are Edmund Lowe, Donald Douglas, Nella Walker, Pierre Watkin, and others.

Suitability, Class A.

"Girl from God's Country" with Chester Morris, Jane Wyatt and Charles Bickford

(Republic, July 30; time, 74 min.)

A good melodrama. The story, although not too novel, has been handled in an intelligent and realistic way, holding one's attention to the end. Both the direction and acting are praiseworthy; and the production values are as good as those in most major company releases. There are a few exciting melodramatic situations; one such situation is that in which Charles Bickford pursues Chester Morris through snow country. One is in deep sympathy with Morris; for that reason his eventual freedom pleases one. An appealing romance rounds out the plot. The action takes place in Alaska:—

Morris, who had left the states to practice medicine in Alaska, is loved by the natives because of his kindness to all. When Jane Wyatt, a charming nurse, arrives to assist him, he feels that she, like all the other nurses who had come and gone, would likewise leave. She resents his curt manner, and determines to leave at the first opportunity. In the meantime, she helps him and by her ability wins his admiration. Charles Bickford, a stranger, arrives, ostensibly on business. But he was a detective, out to get two men, both wanted on a murder charge. He finds and wounds one of the men. Morris saves the man's life. Miss Wyatt does not leave, for she had fallen in love with Morris, as he had with her. Morris then tells her why he was living in Alaska—that when his father, a doctor, who had been ill, had taken an overdose of sleeping pills and had died, he had purposely run away so as to lead people to believe he had given the overdose to him and thus save his father's reputation. It develops that Morris was the second man Bickford was after—he was wanted on charge of killing his father. Miss Wyatt helps Morris to escape; but Bickford pursues him. Having neglected to wear glasses, Bickford suffers from snow blindness. Morris, taking him to his home, restores his sight. Bickford leaves, saying that as far as he was concerned Morris did not exist.

Ray Millholland wrote the story, and Elizabeth Meehan and Robert Lee Johnson, the screen play; Sidney Salkow directed it, and Armand Schaefer produced it. In the cast are Mala, Kate Lawson, John Bleifer, Mamo Clark, Ferike Boros.

Suitability, Class A.

"Sing, Dance, Plenty Hot" with Ruth Terry, Johnny Downs and Billy Gilbert

(Republic, August 10; time, 71 min.)

A fair comedy with music. Everyone in the cast works hard to put it over, and whatever entertainment value the picture has is owed solely to their efforts. The story is extremely silly, and is developed in an obvious manner. However, theatres that cater to audiences who are not too exacting in their demands so long as a picture has comedy and music should do pretty well with this feature:—

Lester Matthews, who ran theatrical shows for charitable organizations, padded his accounts to such an extent that in the end he, and not the charitable organization, made most of the money. His leading performer and assistant (Johnny Downs) is unaware of Matthews' crookedness. When Elisabeth Risdon, an old-fashioned society woman, learns that Matthews, a theatrical agent, had moved into an office building she owned, she is shocked, and sends her niece (Ruth Terry) to ask him to move. But when Miss Terry meets Downs she forgets about her errand; instead, she decides to persuade her aunt to engage Matthews to run a show for the benefit of an orphanage in which Miss Risdon was interested. Miss Risdon agrees and even permits rehearsals to take place in her home. Billy Gilbert, by paying Matthews a large sum of money, induces him to put him in a show. Unknown to Matthews, Gilbert was an undercover man seeking evidence so as to indict Matthews. Gilbert meets Barbara Allen, Miss Risdon's slightly silly sister, and they fall in love with each other. Learning of Gilbert's identity, Matthews prepares to leave town with all the show money. But Gilbert and Downs prevent him, and the show goes on. Downs convinces Miss Terry, who loved him, that he was innocent.

Vera Caspary and Bradford Ropes wrote the story, and Bradford Ropes the screen play; Lew Landers directed it, and Robert North produced it. In the cast are Claire Claretton, Mary Lee, Leonard Carey, and others.

Suitability, Class A.

"The Secret Seven" with Florence Rice, Barton MacLane and Bruce Bennett
(Columbia, August 8; time, 62 min.)

A formula program melodrama. The most interesting part of it is the scientific methods employed by the police in obtaining evidence against criminals. The story is, however, pretty far-fetched, mainly because of the ease with which all clues are traced. There is occasional excitement, when the police clash with the gangsters, the most exciting situation being the closing one, where the police rescue the heroine, who had been kidnapped by the gangsters. The romance is routine:—

Bruce Bennett is enraged when the police inform him that they were unable to find the criminals who had run down and killed his mother. Although he had several theories about following clues, the police refuse to listen to him. Bennett confers with six men, who, because of their scientific knowledge, felt certain that they could give valuable assistance to the police in tracing criminals. But the police turn down their offer of help. Bennett convinces Florence Rice, the police Captain's daughter, that he and the other six men could be of service. Deciding to help him, she takes from the police files the only evidence (a piece of cord) the police had found in the case involving Bennett's mother's death. Through this cord, Bennett traces the manufacturer, and later the criminals. Realizing that they were trapped, Barton MacLane, head of the gang, kidnaps Miss Rice, hoping thereby to effect their escape. But Bennett outwits them; with the help of the police, he traps the criminals and rescues Miss Rice. Bennett and Miss Rice plan to marry.

Dean Jennings and Robert Tasker wrote the story, and Robert Tasker, the screen play; James Moore directed it, and Ralph Cohn produced it. In the cast are Joseph Crehan, Joseph Downing, Don Beddoe, and Howard Hickman.

The gangster activities make it unsuitable for children. Class B.

"Ladies Must Live" with Wayne Morris, Rosemary Lane and Roscoe Karns

(First National, July 27; time, 58 min.)

A lightweight program comedy. The story is extremely thin and the action occasionally lags due to an overabundance of dialogue. No one does anything to awaken sympathy; as a matter of fact, the leading characters are at times made to act so foolishly that the spectator is annoyed. A few musical numbers have been worked into the plot in a pleasant way:—

Wayne Morris, who had inherited a fortune, falls in love with Rosemary Lane, a night club singer. Before their plans for marriage are set, Morris takes Miss Lane's brother into his stock brokerage business at a salary of \$15,000 a year, and then invests \$200,000 in a company manufacturing a can-opener invented by Miss Lane's father. Morris invites his best friends (Roscoe Karns) and his wife (Lee Patrick) to the wedding, asking Karns to be his best man. When Karns arrives and meets Miss Lane and her family, he draws his own conclusions, deciding that they were trying to take advantage of Morris. He insults them all by calling them crooks, and brings about a separation between Morris and Miss Lane. When he learns from Morris that Miss Lane's brother was the most valuable man in his organization, that he had turned down a million dollars profit for the can-opener invention, that Miss Lane had been offered a part in a new musical show that could net her a large salary, and that she had turned down the offer of marriage of a man even wealthier than he, Karns realizes what a fool he had made of himself. Miss Lane refuses to accept his apology. By a ruse he finally manages to get every one together and effects a reconciliation. Every one is happy.

Robert E. Kent wrote the screen play, Noel Smith directed it, and William Jacobs produced it. In the cast are George Reeves, Ferris Taylor, Lottie Williams, DeWolf Hopper, and Cliff Faum.

Suitability, Class A.

"Boom Town" with Clark Gable, Spencer Tracy, Claudette Colbert and Hedy Lamarr

(MGM, August 30; time, 116 min.)

The four popular players should insure "terrific" box-office results. But the story is only fairly good. It is exciting up to a certain point, but peters out, because the plot is somewhat thin; it is based on a simple idea, which, when presented at the beginning, is exciting. But the screen-play writers used the same pattern on different occasions, thus making the action repetitious. Moreover, the characters do not awaken too much sympathy; their actions are mo-

tivated most of the time by personal gain. Even the romance is not appealing, because of the unhappiness it brings to one of the characters. But the masses will probably be so delighted at seeing the four stars together that they will overlook plot defects. The action starts in the year 1918:—

Clark Gable and Spencer Tracy, two wildcat oil drillers, form a partnership to drill land Tracy had leased. Being without funds, they have to use their wits to obtain drilling equipment from Frank Morgan. Their first well brings out only salt water; but the second well is a gusher. Gable, who had met and fallen in love with Claudette Colbert, not knowing that she was the girl Tracy loved and was waiting to marry, sweeps her off her feet after a few hours' companionship. Miss Colbert marries him that very night without telling him about Tracy. Tracy, when Gable introduces Miss Colbert to him, is at first enraged; but he forgives them and the three remain good friends. Money pours in. Tracy, enraged when he finds Gable, on the night of his first wedding anniversary, in a saloon a bit tipsy and dancing with one of the girls, berates him. They break their friendship and flip a coin for the complete ownership of the property; Tracy wins. Gable sets out with his wife to start all over again. They have many ups and downs but in a short time Gable prospers, while Tracy loses everything. Again the men meet; Gable, unknown to Tracy, guaranteed the payment for equipment for a new wildcat scheme, which works. Again Tracy is a rich man. Gable decides to branch out in the oil refinery business, and to make New York his headquarters. There he becomes acquainted with Hedy Lamarr; what first starts out as a business association develops into an affair. Tracy arrives in New York; the friends become reconciled. But when Tracy learns how unhappy was Miss Colbert he decides to bring Gable to his senses by ruining him financially; but Gable instead wrecks Tracy's firm. The government then steps in; it brings an anti-trust suit against Gable. Tracy comes to Gable's support; his testimony is responsible for the dismissal of the suit. Reunited, the friends go back west again for another wildcat adventure.

James Edward Grant wrote the story, and John Lee Mahin, the screen play; Jack Conway directed it, and Sam Zimbalist produced it. In the cast are Lionel Atwill, Chill Wills, Marion Martin, Minna Gombell, Joe Yule, Horace Murphy.

Suitability, Class A.

"The Return of Frank James" with Henry Fonda, Gene Tierney and Jackie Cooper

(20th Century-Fox, August 16; time, 92 min.)

What prompted 20th Century-Fox to produce this picture was no doubt the success that "Jesse James" made; Mr. Zanuck must have felt that he could make as good a sequel. But sequels seldom turn out as successful as the originals. In this instance, however, the sequel to "Jesse James" is not a bad picture, and should fare pretty well at the box office, for it is of the virile sort; it holds one's attention well, because the action is fast, and it stirs one's emotions of sympathy, because the doings of the principal characters are sympathy arousing. There is no romance, but only a near-romance. Gene Tierney, as the heroine, is charming:—

Bob Ford (John Carradine) shoots Jesse James in the back and kills him. When Frank James, Jesse's brother, living the peaceful life of a farmer, hears that Ford had been pardoned due to the intercession of McCoy (Donald Meek), a railroad magnate, he sets out to avenge his brother's death. Clem (Jackie Cooper), whom Frank had befriended, follows Frank even against his orders. Because he had no money to use in their travel, Frank holds up McCoy's express office. While in the act, he is apprehended and, in the shooting that ensues, the watchman is killed by bullets fired from the outside. He and Clem escape, but Frank is now sought for murder. The two go west. At a hotel, Clem spreads the story that he had seen Frank killed below the Mexican border. Eleanor Stone (Gene Tierney), a reporter, daughter of the publisher of the Denver Star, gets a story from Clem and when it appears in her father's paper George Runyan (J. Edward Bromberg), railroad detective, sets out to investigate. From the description given him by Eleanor, he realizes that it was Frank James himself. Pinky, Frank's colored servant, is arrested and convicted as an accessory to the crime, and Frank sets out to surrender himself so as to save Pinky's life. Frank is arrested and tried for the murder of the watchman, but because of an able defense by Major Rufus Todd (Henry Hill), he is acquitted. Clem is shot and killed by Bob Ford, and Frank goes after him; he corners him at a livery stable. Escape being impossible, Ford takes his own life.

Sam Hellman wrote the story and Fritz Lang directed it. Class B for children; Class A for adults.

not talk. Today \$150,000 will not be enough to make the cheapest picture at a major studio.

The exhibitors should make it a point to increase their admission prices with every meritorious picture until the time comes when they will be able to advance their admission-price scale by a few notches.

* * *

LAST WEEK TWENTIETH CENTURY-FOX reported that, for the twenty-six weeks ending June 29, it made a net operating profit of \$117,213.

For the same period last year, its profits were \$2,325,525; or, \$2,208,312 less for the same period this year.

Loew's, Inc., reported that, for the forty weeks ending June 6, its profits were \$7,996,394, as against \$8,173,060 for 1939; only \$176,666 less.

The net profits of Warner Bros., for the thirty-nine weeks ending May 25, were \$2,450,713 as against \$2,912,186 for the last year; or \$461,473 less.

Universal has just reported that it has retired its British indebtedness, indicating a rosy financial condition under the management of Nate Blumberg.

Almost every other company has reported a healthy condition in its business.

What is the cause of so much slump in the receipts of Twentieth Century-Fox? It certainly cannot be attributed to any laxness on the part of its sales organization, for its sales forces are as wide-awake as ever.

What can be the cause other than deterioration of the quality of its output?

It is not pleasant to have to tell you that the Twentieth Century-Fox pictures have fallen down in quality, for every one of you, after all, must have good pictures to conduct your theatre profitably, particularly in these days of upset world conditions; and when one company, which used to produce meritorious product, falls down during two consecutive seasons, it is a cause for worry.

Let us hope that Mr. Zanuck will find a method of restoring the quality of the Twentieth Century-Fox pictures to what it was the first few years of his connection with this company; by so doing, he will make happy, not only his own home office, but also every exhibitor who has been in the habit of buying the Twentieth Century-Fox product.

* * *

THE CONSENT DECREE matter is getting to be a legend: one day the trade papers state that its signing is about near; the next day they report that a hitch has developed, delaying signature, and still the next that it has been rejected. Then they begin all over again.

Some day it may be signed. If it should be, most of the credit will have to go to Nick Schenck, of MGM; Mr. Schenck has been untiring in his efforts to persuade the other major companies to sign the decree.

ANOTHER LAWSUIT AGAINST A PRODUCER WON BY AN EXHIBITOR

On the first of August, Judge E. H. Savord returned a finding at Sandusky, Ohio, of \$162,100, against General Theatre Co., of New York, a subsidiary of Warner Bros., in favor of Seitz Theatre Co.

The finding included six per cent interest from August 1, 1933, to August 1, 1940, making the total amount of the finding \$230,182.

The suit had been brought by the Seitz Co., alleging breach of a lease. The Warner Bros. subsidiary had leased the theatre building from an outfit that had leased it from the Seitz Co., and in 1933, when the lease had more than ten years to run yet, the tenant had been evicted by the Seitz Co. for failure to pay rent for three months that year.

The case was tried before Judge Savord with jury waived.

The reason this matter is brought to your attention is this: Every time a distributor is caught in some unethical act, he tries to justify it by saying how bad are the exhibitors—they break their contracts and do so many other bad things. Well, in 1932 and 1933 the major companies broke so many leases that they made the exhibitors look like angels when compared to the theatre-owning producer-distributors.

AN EXHIBITOR RIGHTLY BOASTS TO HIS PUBLIC

Mr. Ronald E. Vincent, manager of the South Coast Theatre, at Laguna Beach, California, has sent a clipping of an advertisement he inserted in *The South Coast News*, which is published in that town.

In one column of the advertisement, Mr. Vincent makes the following justifiable boast under the heading, "An Enviable Record":

"Our policy has been one of adherence to one aim . . . the finest of entertainment . . . and JUST entertainment.

"To the best of our knowledge, we are the only theatre that has never inflicted upon the public such parasitical annoyances as— . . ."

Mr. Vincent then gives a list of such business builders as premiumis, and other money-prize nights, closing the column with the motto: "Never a Double Bill."

In the other column, headed by, "The Enviable Record," he gives a long list of the pictures he has shown.

It is the opinion of this paper, however, that Mr. Vincent would have obtained far better results had he treated the premium and cash giving habits of many exhibitors seriously instead of in a sarcastic vein. For instance, instead of saying "Bunk Night," "Bang," "Screamo," "Stinko," he should have used the right words for them. It would have been more dignified.

PICTURES NOW IN PRODUCTION

Columbia

"THE LITTLE PROFESSOR," with Paul Kelly and Rochelle Hudson. Program.

Paramount

"THE ROUND UP," a Harry Sherman western.

RKO (Radio) Pictures

"CITIZEN KANE," with Orson Welles, Dorothy Comingore and Ruth Warrick, produced and directed by Mr. Welles himself. Mr. Welles created a sensation about two years ago with his Mercury Theatre production of the attack of Martians against the Earthians and the hope is that he knows what he is doing. No story available at present.

"YOU'LL FIND OUT," with Kay Kyser and his band, Boris Karloff, Peter Lorre, Bela Lugosi, Dennis O'Keefe, Helen Parrish and others, produced and directed by David Butler. The first Kay Kyser picture went over well, and in all probability this one, too, will go over. It is most likely this picture will be a burlesque on horror pictures.

Twentieth Century-Fox

"JENNY," with Virginia Gilmore, William Henry and others. Program.

Universal

"THE DEVIL'S PIPELINE," with Richard Arlen, Andy Devine and others. Good program.

"THE PONY POST," with Johnny Mack Brown, Fuzzy Knight and Nell O'Day. Western.

"MEET THE WILDCAT," with Margaret Lindsay, Ralph Bellamy and Allen Jenkins. Program.

Warner-First National

"HIGH SIERRA," with Humphrey Bogart, Ida Lupino, Henry Travers and others. Probably on the order of "They Drive By Night."

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IN TWO SECTIONS—SECTION TWO
HARRISON'S REPORTS

Vol. XXII

NEW YORK, N. Y., SATURDAY, AUGUST 17, 1940

No. 33

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Stage to Chino—RKO (59 min.)	123
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We Who Are Young—MGM (79 min.)	119
When the Daltons Rode—Universal (79 min.)	123
Young People—20th Century-Fox (79 min.)	126
You're Not So Tough—Universal (71 min.)	111

RELEASE SCHEDULE FOR FEATURES

Columbia Features

(729 Seventh Ave., New York, N. Y.)

1016	The Lone Wolf Meets a Lady—William	May 30
1036	Mad Men of Europe—Gwenn-Maguire	June 3
1206	Texas Stagecoach—Starrett	June 6
1028	Passport to Alcatraz—Jack Holt	June 6
1037	Girls of the Road—Dvorak-Lane	June 20
1214	The Return of Wild Bill—Elliott	June 27
1021	Out West with the Peppers—Fellows	June 30
1038	Military Academy—Kelly-Jordan-Scarl	July 18
1012	Blondie Has Servant Trouble—Singleton	July 25
	Lady in Question—Aherne-Hayworth	Aug. 7
	Secret Seven—Rice-Bennett	Aug. 8
	He Stayed For Breakfast—Douglas-Young	Aug. 22
	Five Little Peppers in Trouble—Fellows	Sept. 1
	Wizard of Death—Karloff-Keyes	Sept. 17
	The Howards of Virginia—Grant-Scott	Sept. 19
	Before I Die—Fairbanks-Hayworth	Sept. 27
	I Am For Rent—Pryor-Louise	Sept. 30

First National Features

(321 W. 44th St., New York, N. Y.)	
473	A Fugitive From Justice—Pryor-Douglas
467	The Man Who Talked Too Much—Brent (re.)
454	All This and Heaven Too—Davis (re.)
474	Ladies Must Live—Morris-Lane
460	They Drive By Night—Raft-Sheridan
	(409 "My Love Came Back," listed in the last Index under the First National releases belongs under the Warner Bros. releases)

(End of 1939-40 Season)

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)	
39	Susan and God—Crawford-March
41	The Mortal Storm—Morgan-Sullivan
42	The Captain Is a Lady—Coburn-Bondi
31	New Moon—MacDonald-Eddy
43	Andy Hardy Meets Debutante—Rooney
44	Sporting Blood—Young-Stone-O'Sullivan
45	We Who Are Young—Turner-Shelton
47	Gold Rush Maisie—Sothern-Bowman (re.)
46	Pride and Prejudice—Garson-Olivier (re.)
50	I Love You Again—Powell-Loy
49	Golden Fleecing—Ayres-Johnson
48	Boom Town—Gable-Tracy-Colbert-LaMarr
	(reset)

(End of 1939-40 Season)

Beginning of 1940-41 Season

Escape—Shearer-R. Taylor	Sept. 6
Bad Man of Wyoming—Beery-Carrillo	Sept. 13
Dr. Kildare Goes Home—Ayres-Barrymore	Sept. 20

Monogram Features

(1270 Sixth Ave., New York, N. Y.)	
3929	Sky Bandits—Newill (59 min.)
3954	Pals of the Silver Sage—Ritter (52 min.)
3926	Mysterious Mr. Reeder—Will Fyffe
3964	Land of Six Guns—Jack Randall (54 min.)
3955	Cowboy From Sundown—Ritter (58 min.)
3965	Kid From Santa Fe—Randall (50 min.)
3966	Riders From Nowhere—Randall (54 min.)
3915	On the Spot—Frankie Darro (62 min.)
3927	The Last Alarm—Young-MacDonald
3960	Wild Horse Range—Randall (51 min.)
	The Golden Trail—Ritter (52 min.)
	Haunted House—Jones-Moran (70 min.)
	Rainbow Over the Range—Ritter (58 min.)
	Laughing at Danger—Darro-Hodges
	Missing People—Will Fyffe
	Africa Frontier—Tex Ritter

Beginning of 1940-41 Season

Orphans of the North—Native cast (57 min.)	July 29
Doomed to Die—Boris Karloff	Aug. 5
Queen of the Yukon—Bickford-Rich	Aug. 26
Broadcasting Mystery—Frankie Darro	Sept. 2
Who Is Guilty—Ben Lyon	Sept. 9
The Ape—Boris Karloff	Sept. 16

Paramount Features

(1501 Broadway, New York, N. Y.)	
3936	Those Were the Days—Holden-Granville
3958	Hidden Gold—William Boyd (60 min.)
3937	Safari—Carroll-Fairbanks, Jr.
3938	The Ghost Breakers—Hope-Goddard
3939	Queen of the Mob—Yurka-Bellainy
3940	The Way of All Flesh—Tamiroff
3959	Stage Coach War—William Boyd (60 min.)
3941	Untamed—Milland-Morisou-Tamiroff
3942	Golden Gloves—Denning-J. Cagney
3943	Mystery Sea Raider—Wilcoxon-Landis
3944	Comin' Round the Mountain—Burns
3945	The Great McGinty—Doulevy-Angelus

(End of 1939-40 Season)

Columbia—Two Reels

1433 You're Next—All star comedy (17m.)	May 3
1164 The Dragon Queen Threatens—Terry #4 (17 min.)	May 3
1165 At the Mercy of a Mob—Terry #5 (17½m.)	May 10
1434 South of the Boudoir—Chase (18m.)	May 17
1166 The Scroll of Wealth—Terry #6 (19½m.) ..	May 17
1167 Angry Waters—Terry #7 (17½m.)	May 24
1168 The Tomb of Peril—Terry #8 (18½m.)	May 31
1435 Boobs in the Woods—Clyde (16m.)	May 31
1169 Jungle Hurricane—Terry #9 (17m.)	June 7
1170 Too Many Enemies—Terry #10 (17½m.)	June 14
1407 Nutty But Nice—Stooges (18m.)	June 14
1171 Walls of Doom—Terry #11 (17½m.)	June 21
1172 No Escape—Terry #12 (18½m.)	June 28
1436 Taming of the Snood—Keaton (16m.)	June 28
1173 Fatal Mistake—Terry #13 (17½m.)	July 5
1174 Pyre of Death—Terry #14 (17m.)	July 12
1437 His Bridal Fright—Chase (16m.)	July 12
1175 The Secret of the Temple—Terry #15 (17m.) ..	July 19
1181 A Wild West Empire—Deadwood Dick No. 1 (32½ min.)	July 19
1408 How High Is Up—Stooges	July 26
1182 Who Is the Skull—Dick No. 2 (20m.)	July 26
1183 Pirates of the Plains—Dick No. 3	Aug. 2
1184 The Skull Baits a Trap—Dick No. 4	Aug. 9
1438 Fireman Save My Choo-Choo—All star (17½ min.)	Aug. 9
1185 Win, Lose or Draw—Dick No. 5	Aug. 16
1186 Buried Alive—Dick No. 6	Aug. 23
1187 The Chariot of Doom—Dick No. 7	Aug. 30
1188 The Secret of No. 10—Dick No. 8	Sept. 6
1189 The Fatal Warning—Dick No. 9	Sept. 13
1190 Framed for Murder—Dick No. 10	Sept. 20
1191 The Bucket of Death—Dick No. 11	Sept. 27
1192 A Race Against Time—Dick No. 12	Oct. 4
1193 The Arsenal of Revolt—Dick No. 13	Oct. 11
1194 Holding the Fort—Dick No. 14	Oct. 18
1195 The Deadwood Express—Dick No. 15	Oct. 25

(one more serial to come)

Metro-Goldwyn-Mayer—One Reel

S-108 Spots Before Your Eyes—P. Smith (10m.) ..	May 4
T-61 Modern New Orleans—Traveltalk (8m.) ..	May 11
M-79 Servant of Mankind—Miniatures (9m.) ..	May 11
W-87 Swing Social—Cartoons (8m.)	May 18
C-138 Bubbling Troubles—Our Gang (11m.)	May 25
T-62 Suva, Pride of Fiji—Traveltalks (9m.)	June 8
S-109 What's Your I.Q. —P. Smith (9m.)	June 8
W-88 Tom Turkey—Cartoons (7m.)	June 8
W-89 The Milky Way—Cartoons (8m.)	June 22
K-124 A Way in the Wilderness—Pass. P. (10m.) ..	June 22
S-110 Cat College—Pete Smith (9m.)	June 29
K-125 Trifles of Importance—Pass. Par. (11m.) ..	July 13
S-111 Social Sea Lions—Pete Smith (10m.)	July 20
W-90 The Bookworm Turns—Cartoons (9m.)	July 20
W-91 Romeo in Rhythm—Cartoons	Aug. 10

(more to come)

Metro-Goldwyn-Mayer—Two Reels

P-4 Women in Hiding—Crime Doesn't Pay (22 min.)	June 22
P-5 Buyer Beware—Crime Doesn't Pay	Aug. 17

(more to come)

Paramount—One Reel

V9-7 Not So Dumb—Paragraphic (9½m.)	Mar. 15
C9-3 Ants in the Plants—Color Classic (7m.)	Mar. 15
R9-9 Two of a Kind—Sportlight (9m.)	Mar. 22
E9-4 Stealin' Ain't Honest—Popeye (6m.)	Mar. 22
L9-4 Unusual Occupations #4—(10m.)	Mar. 29
K9-6 Argentina—Color Cruise (9m.)	Apr. 5
E9-5 Me Feelins Is Hurt—Popeye (6m.)	Apr. 12
R9-10 The Blue Streak—Sportlight (9m.)	Apr. 19
A9-8 Have You Met Yvette—Headliner (10½m.) ..	Apr. 26
B9-3 Granite Hotel—Stone Age (6m.)	Apr. 26
J9-5 Popular Science #5—(10m.)	May 3
B9-4 Way Back When a Night Club Was a Stick— Stone Age (6 min.)	May 10
V9-8 Television Preview—Paragraphic (9½m.) ..	May 17
C9-4 A Kick in Time—Color Clas. cart. (7½m.) ..	May 17
R9-11 Playmates From the Wild—Sport. (9½m.) ..	May 17
E9-6 Onion Pacific—Popeye (6m.)	May 24
B9-5 The Foul Ball Player—Stone Age (6m.) ..	May 24
A9-9 Blue Barron and His Orchestra—Headliner (10½ min.) (reset)	May 31
L9-5 Unusual Occupations #5—(10m.)	May 31
E9-7 Wimmin Is a Myskery—Popeye (6½m.) ..	June 7
R9-12 Cradle of Champions—Sportlight (9m.) ..	June 14
B9-6 The Ugly Dino—Stone Age cart. (6m.) ..	June 14
E9-8 Nurse-Mates—Popeye cart. (6½m.)	June 21
K9-7 Pacific Paradise—Color Cruise (9½m.) ..	June 21
V9-9 Dangerous Dollars—Paragraphic (10½m.) ..	June 28
J9-6 Popular Science #6—(10m.)	June 28
B9-7 Wedding Belts—Stone Age cart. (6m.) ..	July 5
R9-13 Sink or Swim—Sportlight (9m.)	July 12
E9-9 Fightin' Pals—Popeye cartoon (7m.)	July 12
A9-10 Pinky Tomlin & His Orchestra—(10m.) ..	July 19
C9-5 Snubbed by a Snob—Color Classic (7m.) ..	July 19
B9-8 Way Back When a Razzberry Was a Fruit— Stone Age cartoon (6 min.)	July 26
E9-10 Doing Impossikle Stunts—Popeye cartoon (7 min.)	Aug. 2
L9-6 Unusual Occupations No. 6—(10m.)	Aug. 2
B9-9 The Fulla Bluff Man—Stone Age (6m.) ..	Aug. 9
V9-10 Paramount Pictorial No. 2—(10½m.) ..	Aug. 9
E9-11 Wimmin Hadn't Oughta Drive—Popeye ..	Aug. 16
C9-6 You Can't Shoe a Horse Fly—Color Classic ..	Aug. 23
E9-12 Puttin' on the Act—Popeye	Aug. 30
B9-10 Springtime in the Rockage—Stone Age ..	Aug. 30

(End of 1939-40 Season)

RKO—One Reel

04107 Bone Trouble—Disney (9m.)	June 28
04312 Arrow Points—Sportsscopes (8m.)	July 5
04212 Information Please—(12m.)	July 12
04108 Put-Put Trouble—Disney (7m.)	July 19
04612 Week End—Reelisms (9m.)	July 19
04313 Trouble Shooter—Sportsscopes (9m.)	Aug. 2
04109 Donald's Vacation—Disney (8m.)	Aug. 9
04213 Information Please—(11m.)	Aug. 9
04613 Hats—Reelisms (9m.)	Aug. 16
04110 Pluto's Dream House—Disney	Aug. 30

(more to come)

RKO—Two Reels

03205 Goodness: A Ghost—Langdon (16m.)	July 5
03704 Bested by a Beard—Errol (20m.)	July 26
03112 March of Time No. 12—(17m.) (reset) ..	Aug. 2
03113 March of Time No. 13—(reset)	Aug. 23

(End of 2 reelers for 1939-40 Season)

Republic Features

(1776 Broadway, New York, N. Y.)

943 Gaucho Serenade—Gene Autry (69 min.) May 10
 906 Gangs of Chicago—Nolan-Lane-Middleton May 19
 966 Rocky Mountain Rangers—3 Mesq. (58m.) May 24
 902 Women in War—Barrie-Janis-Knowles June 6
 907 Wagons Westward—Morris-Louise-Munson June 19
 908 Grand Old Opry—Weaver Bros.-Elviry June 25
 992 One Man's Law—Don. (Red) Barry (57m.) June 29
 955 Carson City Kid—Roy Rogers (57 min.) July 1
 903 Three Faces West—Gurie-Wayne July 12
 944 Carolina Moon—Autry (65 min.) July 15
 909 Scatterbrain—Canova-Mowbray July 20
 904 Girl From God's Country—Morris-Wyatt July 30
 956 The Ranger and the Lady—Rogers (59 min.) July 30
 910 Sing Dance Plenty Hot—Terry-Downs Aug. 10
 924 The Earl of Puddlestone—Gleason Aug. 31
 (End of 1939-40 Season)

Beginning of 1940-41 Season

071 The Tulsa Kid—Red Barry (57 min.) Aug. 16
 Oklahoma Renegades—Three Mesq. (57 min.) Aug. 29

RKO Features

(1270 Sixth Ave., New York, N. Y.)

033 The Saint Takes Over—Sanders-Barrie June 7
 084 Prairie Law—George O'Brien June 14
 034 Pop Always Pays—Errol-O'Keefe June 21
 035 Anne of Windy Poplars—Shirley-Ellison June 28
 036 Doctor Christian Meets the Women—
 Hersholt (68 min.) July 5
 039 Cross-Country Romance—Raymond July 12
 029 Tom Brown's School Days—Hardwicke July 19
 037 Millionaires in Prison—L. Tracy July 26
 085 Stage to Chino—George O'Brien July 26
 061 Queen of Destiny—Neagle Aug. 2
 042 One Crowded Night—Seward-Kerrigan Aug. 9

Twentieth Century-Fox Features

(444 W. 56th St., New York, N. Y.)

045 Lillian Russell—Faye-Fonda-Ameche May 24
 051 Girl in 313—Rice-Taylor-Valerie May 31
 034 Earthbound—Baxter-Leeds-Bari June 7
 047 Four Sons—Ameche-Hughes-Curtis June 14
 048 Charlie Chan's Murder Cruise—Toler June 21
 049 Lucky Cisco Kid—Romero-Hughes-Venable June 28
 052 Sailor's Lady—Kelly-Hall-Davis July 5
 046 Manhattan Heartbeat—Sterling-Gilmore July 12
 050 Maryland—Brennan-Bainter-Joyce-Payne July 19
 (End of 1939-40 Season)

Beginning of 1940-41 Season

101 The Man I Married—Bennett-Lederer Aug. 2
 104 Girl From Avenue A—Withers-Taylor Aug. 9
 103 The Return of Frank James—Fonda Aug. 16
 106 Pier 13—Bari-Nolan-Valerie Aug. 23
 111 The Great Profile—J. Barrymore-Hughes Aug. 30
 102 Street of Memories—Roberts-Kibbee Sept. 6
 107 Brigham Young—Power-Darnell-Jagger Sept. 13
 108 The Ghost of the Cisco Kid—Romero Sept. 20
 109 Young People—Temple-Oakie-Greenwood Sept. 27
 110 Charlie Chan at the Wax Museum—Toler Oct. 4

United Artists Features

(729 Seventh Ave., New York, N. Y.)

Our Town—Frank Craven-Martha Scott May 24
 ("South of Pago Pago," listed in the last Index as a 1939-40 release has been put on the 1940-41 release schedule)
 (End of 1939-40 Season)

Beginning of 1940-41 Season

South of Pago Pago—Hall-McLaglen (reset) July 19
 Captain Caution—Mature-Platt-Carrillo Aug. 9
 Foreign Correspondent—McCrae-Day-Marshall Aug. 16
 Kit Carson—Hall-Bari-Andrews Aug. 30
 The Westerner—Cooper-Brennan-Davenport Sept. 20
 The Thief of Bagdad—Veidt-Sabu-Duprcez Sept. 27

Universal Features

(1250 Sixth Ave., New York, N. Y.)

4033 Enemy Agent—Cromwell-Vinson April 19
 4005 If I Had My Way—Crosby-Jean May 3
 4031 Ski Patrol—Desti-Dorn May 10
 4015 Alias the Deacon—Burns-Auer May 17
 4029 La Conga Nights—Herbert-Moore May 31
 4063 Bad Man From Red Butte—Brown (58m.) May 31
 4036 Love, Honor and Oh Baby—Ford-Adams June 7
 4008 Sandy Is a Lady—Baby Sandy-Auer-Grey June 14
 4037 I Can't Give You Anything But Love, Baby—
 Crawford-Moran June 21

4007 Private Affairs—Kelly-Young-Cummings July 5
 4056 Hot Steel—Arlen-Devine July 12
 4057 Black Diamonds—Arlen-Devine (60 min.) July 19
 4064 Son of Roaring Dan—Brown (63 min.) July 26
 4023 You're Not So Tough—Halop-Galli July 26
 4006 When the Daltons Rode—Scott-Francis July 26
 4039 South to Karanga—Bickford-Craig Aug. 2
 Boys From Syracuse—Jones-Ray Aug. 9

("Diamond Frontier" and "Hired Wife" have been transferred from the 1939-40 season to the 1940-41 season)
 (End of 1939-40 Season)

Beginning of 1940-41 Season

5046 The Fugitive—Wynyard-Richardson June 28
 Argentine Nights—Ritz Bros. Sept. 6
 The Leather Pushers—Arlen-Devine Sept. 13
 Hired Wife—Russell-Aherne-Bruce (reset) Sept. 13
 Ragtime Cowboy Joe—J. M. Brown Sept. 20
 The Mummy's Hand—Foran-Moran Sept. 20
 Spring Parade—Durbin-Cummings Sept. 27
 Diamond Frontier—McLaglen-Nagel (reset) Oct. 4
 Seven Sinners—Dietrich-Wayne Oct. 11

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

410 Saturday's Children—Garfield-Shirley May 11
 405 Brother Orchid—Robinson-Sothern-Bogart June 8
 424 Gambling on the High Seas—Morris June 22
 409 My Love Came Back—De Havilland-Lynn July 20
 414 River's End—Morgan-Jory Aug. 10
 417 Money and the Woman—Lynn-Marshall Aug. 17
 401 The Sea Hawk—Flynn-Marshall-Rains Aug. 24
 412 Flowing Gold—O'Brien-Garfield Aug. 31
 (End of 1939-40 Season)

SHORT SUBJECT RELEASE SCHEDULE

Columbia—One Reel

1509 Greyhound and the Rabbit—Col. Rh. (7m.) April 19
 1806 Tomorrow's Stars—World of Sport (10m.) April 19
 1904 Social Security—Washington Par. (10m.) April 26
 1857 Screen Snapshots No. 7—(10m.) May 3
 1557 Pleasurebound in Canada—Tours (8½m.) May 3
 1705 Fish Follies—Phantasy (6m.) May 10
 1807 Sport of Kings—World of Sport (10m.) May 24
 1510 Egg Hunt—Color Rhapsody (7m.) May 31
 1858 Screen Snapshots No. 8—(10m.) June 7
 1754 Barnyard Babics—Fables (7½m.) June 14
 1558 In the Land of Pagodas—Tours (9m.) June 14
 1975 Odd Vacations—Cinescope (8½m.) June 16
 1511 Ye Old Swap Shop—Color Rhap. (7½m.) June 28
 1808 Saving Strokes with Sam Snead—Sports
 (10 min.) June 28
 1656 Community Sing No. 6—(10½m.) June 28
 1905 The Archives—Washington Parade (10m.) July 4
 1859 Screen Snapshots No. 9—(10m.) July 10
 1755 Pooch Parade—Fables (6m.) July 19
 1706 News Oddities—Phantasy (6m.) July 19
 1809 Canvas Capers—Sports (11m.) July 19
 1512 The Timid Pup—Color Rhapsody Aug. 1
 1860 Screen Snapshots No. 10 Aug. 1
 1976 Squadron 992—Cinescope Aug. 16
 1756 Peep in the Deep—Fables Aug. 23
 1906 Our National Defense—Washington Parade Aug. 30

(more to come)

Twentieth Century-Fox—One Reel

0604 Fashion Forecast No. 8—(8m.) June 21
0515 Rover's Rescue—Terry-Toon (6½m.) June 28
0404 Cheorio, My Dears—Lew Lehr (9m.) July 5
0516 Rupert the Runt—Terry-Toon (6½m.) July 12
0306 Action on Ice—Sports (9m.) July 19
0517 Love in a Cottage—Terry-Toon (7m.) July 28
(End of 1939-40 Season)

Beginning of 1940-41 Season

1101 Eskimo Trails—Father Hubbard (10m.) Aug. 2
1551 Billy Mouse's Akwakade—Terry-T. (7m.) Aug. 9
1301 Vacation Time—Sports (8m.) Aug. 16
1501 Club Life in the Stone Age—Terry-Toon Aug. 23
1401 Grunters and Groaners—Lew Lehr Aug. 30
1552 The Lucky Duck—Terry-Toon Sept. 6
1102 Land of Flowers—Lowell Thomas (9m.) Sept. 13
1502 Touchdown Demons—Terry-Toon Sept. 20
1201 Midget Auto-Racers—Adv. News Camera Sept. 27

Universal—One Reel

4385 Stranger Than Fiction #80—(9m.) Aug. 5
4365 Going Places with Thomas #80—(9½m.) Aug. 12
(End of 1939-40 Season)

Beginning of 1940-41 Season

5261 Jolly Little Elves—cart. reissue (8½m.) June 3
5262 Three Lazy Mice—cart. reissue (9m.) June 24
5263 Springtime Serenade—cart. reissue (7m.) July 1
5264 Candyland—cartoon reissue (8m.) July 29
5265 The Fox and the Rabbit—cartoon reissue Aug. 12
5266 Toyland Premier—cartoon reissue Aug. 19
Crazy House—Lantz cartoon Sept. 9

Universal—Two Reels

4892 Doom of the Dictator—Gordon #12 (20m.) June 25
4231 Hawaiian Rhythm (Honolulu Bound)—
musical (17 min.) July 17
4232 Varsity Vanities—musical (17m.) Aug. 7
4233 Variety Bazaar—musical Aug. 28
(End of 1939-40 Season)

Beginning of 1940-41 Season

5581 Redskins Ride Again—Winners of the West
No. 1 (20 min.) July 2
5582 The Wreck at the River Gorge—West No. 2
(21 min.) July 9
5583 The Bridge of Disaster—West No. 3 (21m.) July 16
5584 Trapped by Redskins—West No. 4 (18m.) July 23
5585 Death Strikes the Trail—West No. 5 (18m.) July 30
5586 A Leap for Life—West No. 6 (20m.) Aug. 6
5587 Thundering Terror—West No. 7 (20m.) Aug. 13
5588 The Flaming Arsenal—West No. 8 (17½m.) Aug. 20
5589 Sacrificed by Savages—West No. 9 (20m.) Aug. 27
5590 Under Crashing Timbers—West No. 10
(16 min.) Sept. 3
5110 Swing with Bing—golf short (18m.) Sept. 4
5591 Bullets in the Dark—West No. 11 (20m.) Sept. 10
Not Yet Titled—musical Sept. 11

Vitaphone—One Reel

5409 The Valley—Color Parade (8m.) July 20
5324 A Wild Hare—Mer. Melodies (8m.) July 27
5510 Woody Herman & Orch.—Mel. Mast. (10m.) July 27
5325 Ghost Wanted—Merrie Melodies (7m.) Aug. 10
5410 Movie Dog Stars—Color Parade Aug. 17
5326 Ceiling Hero—Merrie Melodies Aug. 24
5616 Patient Porky—Looney Tunes Aug. 24
(End of 1939-40 Season)

Vitaphone—Two Reels

5110 Young America Flies—Bway. Brev. (22m.) July 13
5008 Flag of Humanity—Technicolor Aug. 31
(End of 1939-40 Season)

NEWSWEEKLY NEW YORK RELEASE DATES

Paramount News

100 Wednesday . Aug. 14
101 Saturday ... Aug. 17
102 Wednesday . Aug. 21
103 Saturday ... Aug. 24
104 Wednesday . Aug. 28
(End of 1939-40 Season)

1940-41

1 Saturday Aug. 31
2 Wednesday .. Sept. 4
3 Saturday Sept. 7
4 Wednesday .. Sept. 11
5 Saturday Sept. 14
6 Wednesday .. Sept. 18
7 Saturday Sept. 21
8 Wednesday .. Sept. 25
9 Saturday Sept. 28
10 Wednesday .. Oct. 2
11 Saturday Oct. 5

Universal

905 Wednesday . Aug. 28
906 Friday Aug. 30
907 Wednesday . Sept. 4
908 Friday Sept. 6
909 Wednesday . Sept. 11
910 Friday Sept. 13
911 Wednesday . Sept. 18
912 Friday Sept. 20
913 Wednesday . Sept. 25
914 Friday Sept. 27
915 Wednesday .. Oct. 2
916 Friday Oct. 4

Metrotone News

298 Thursday ... Aug. 22
299 Tuesday Aug. 27
300 Thursday ... Aug. 29
301 Tuesday Sept. 3
302 Thursday ... Sept. 5
303 Tuesday Sept. 10
(End of 1939-40 Season)

1940-41

200 Thursday ... Sept. 12
201 Tuesday Sept. 17
202 Thursday ... Sept. 19
203 Tuesday Sept. 24
204 Thursday ... Sept. 26
205 Tuesday Oct. 1
206 Thursday ... Oct. 3

Fox Movietone

100 Saturday ... Aug. 24
101 Wednesday . Aug. 28
102 Saturday ... Aug. 31
103 Wednesday . Sept. 4
104 Saturday ... Sept. 7
(End of 1939-40 Season)

1940-41

1 Wednesday .. Sept. 11
2 Saturday Sept. 14
3 Wednesday .. Sept. 18
4 Saturday Sept. 21
5 Wednesday .. Sept. 25
6 Saturday Sept. 28
7 Wednesday .. Oct. 2
8 Saturday Oct. 5

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HAS MURRAY SILVERSTONE FOUND THE WAY?

The trade papers have announced that Mr. Murray Silverstone, president of United Artists, will resort to court proceedings, if necessary, to prevent exhibitors from using United Artists pictures on triple-feature programs and that he will take steps to prevent the showing of "The Dictator," Charlie Chaplin's new picture, on a double bill.

I asked a lawyer friend of mine to tell me what chances for success has Mr. Silverstone, in view of the court decisions against the insertion in the contracts of a clause forbidding double features, rendered in the cases of *United States vs. Interstate Circuit, et al.*, in Dallas, Texas, and *Perlman vs. Warner Bros., et al.*, in Philadelphia, and received the reply that the cases are not similar with what Mr. Silverstone proposes to do by any stretch of the imagination.

In my friend's opinion, Mr. Silverstone has an excellent chance to succeed, based upon the following reasoning:

In the Philadelphia case, proof of conspiracy was presented: it was not Warner Bros. alone who inserted into the contracts the provision against double features, but also all the other major companies. It was not necessary to prove by witnesses that this provision had been inserted into the contracts by a common understanding, arrived at during some conference of the defendants; the very presence of it in all the major contracts was the proof. The District Court held that the ban against double-featuring was owed to a conspiracy among the defendants; that it tended to create a monopoly and to lessen competition by preventing the exhibitor from purchasing product from independent distributors; and that, consequently, it was a violation of the anti-trust laws.

In the Dallas case, a similar ruling was made. There, Judge Atwell held that, although a copyright granted to the owner certain monopoly rights, it did not justify his combining with others to the detriment of a third person. The Judge said: "The owner of the copyrighted article may contract with the exhibitor, *without the intervention of any third mind*, for full and free protection, both as to price and manner of use," but illegality results when the copyright owner joins forces with a third party as against the exhibitor. He concluded that the defendants had violated the law because they had conspired together to fix the 25c minimum admission price and to ban double features, thus causing an unreasonable restraint of trade.

When this case was affirmed by the Supreme Court, Mr. Justice Stone, in the prevailing opinion, conceded that, "as a result of independent negotiations either of the two restrictions without the other [either the 25c minimum admission price or the ban against double features] could have been put into effect by any one or more of the distributors. . . ." But, he continued, there had been no such independent negotiations; on the contrary, the record indicated clearly that the restrictive provisions had been inserted in all the contracts as a result of concerted action by the distributors, at the instance and for the benefit of Interstate Circuit. The court indicated that even unanimity of action alone might not be unlawful if based upon a legitimate reason, but refused to speculate whether there may have been such legitimate reason not disclosed by the record.

Thus, these two important decisions do not, in any way, condemn as illegal the insistence by a distributor that his copyrighted picture be single-featured.

In the case of United Artists' intentions regarding the Chaplin film, the matter has an entirely different complexion: the releasing company feels that the reputation of

a picture, produced by a star who is famous the world over, will be hurt if it were to be triple-featured, or even double-featured, and its lawyers would naturally seek an injunction to prevent an exhibitor from so exhibiting it.

A copyright owner has the right to impose all sorts of conditions in the granting of a license to use the copyrighted property. He may say, for example, that it shall be used in only a certain manner, that it shall be used neither more nor fewer than a certain number of times, or of hours, in a day. So long as he keeps free of combinations and conspiracies to monopolize; so long as the function of his conditions is to protect his copyright, and not merely to deprive his competitor of a market, he remains within the law.

A similar situation exists in the case of a patent owner who contracts with his licensee to exclude the use of a competitor's product in conjunction with the use of the patented article. This is called a "tying" contract, for it tends to tie up with the patented article other products of the licensor—a condition far beyond the scope of the patent, and generally a violation of the anti-trust laws. If the practical effect of such a "tying" contract is to prevent the use of a competitor's product, it is invalid even if it does not contain specific language restraining the use of the competitor's product, for it lessens competition and tends toward monopoly. And yet, where the prohibition against the use of outside product is reasonably necessary to preserve or to protect the patented article, it is not considered a violation of the law.

Likewise, in the case of "The Dictator," United Artists should have no difficulty in convincing a court that its prohibition against the double-featuring of this picture was, not to reduce the number of pictures the exhibitor could buy from other distributors and thus lessen competition, but to preserve and protect under the Copyright Laws an expensive product covered by copyright.

I then asked: "Why can't every distributor, then, bring court action to prevent the double-featuring of their films?" He answered thus:

"There is again a difference between the case of the Chaplin picture and of other pictures. The court will inquire into the motive and the practical effect of the distributor's action, and United Artists can very easily present a necessity and a motive weighty enough to induce the court to decide the issue in its favor: a Chaplin picture can be hurt by double-featuring, but an ordinary program picture cannot be hurt by an exhibition of it with some other cheap feature. In fact, my opinion is that in some cases the court should rule that low-grade pictures ought to be double-featured, to give the public its money's worth."

From what my lawyer-friend told me, it seems as if Murray Silverstone has hit upon a great idea. If United Artists, by its intended court action, should be successful in stopping the double-featuring of "The Dictator," the way may be opened for the killing of the double-featuring of big pictures. It will all depend on what the court's decision will be in the case of "The Dictator." If such a condition should come about, Mr. Silverstone will deserve the thanks of the entire industry.

HARRISON'S REPORTS is not opposed to the double-featuring of some pictures; it is opposed to double-featuring such pictures as "The Dictator." As long as forty-four percent of the public like double features, their tastes must be satisfied; but they should not be over-fed by the double-featuring of such pictures as "He Stayed for Breakfast," "All This, and Heaven Too," "New Moon," "Boom Town," "I Love You Again," "Rhythms on the River," "My Favorite Wife," "The Boys from Syracuse," "Spring Parade," "The Sea Hawk," and other pictures of this caliber.

**"Black Diamonds" with Richard Arlen,
Andy Devine and Kathryn Adams**

(Universal, July 19; time, 59 min.)

This is typical of the series of program action pictures in which Richard Arlen and Andy Devine have appeared. It is a little less exciting, however, than some of the others in the series, for too much time is taken up with dialogue and attempts at comedy. Not until the very end does anything really exciting happen, and even then the action is of the routine type. It is then that Richard Arlen, a newspaper reporter, at the risk of his own life, proves to the workers that the mine was unsafe to work in, and that the mining inspector had been bribed by the owner. He is injured in proving his case, but does not mind that, for he felt he had saved the lives of many men. He is praised by Kathryn Adams, who loved him.

Sam Robins wrote the story, and Clarence U. Young and Sam Robins, the screen play; Christy Cabanne directed it, and Ben Pivar produced it. In the cast are Paul Fix, Mary Treen, Cliff Clark, and others.

Suitability, Class A.

**"Foreign Correspondent" with Joel McCrea,
Laraine Day, Herbert Marshall
and George Sanders**

(United Artists, August 16; time, 120 min.)

Very good! Alfred Hitchcock again displays his amazing talents as a director. Using a story that might have been common-place in other hands, with master strokes, he makes it a thriller of the first order. There are situations that are so thrilling that one gets choked up and is held in tense suspense, not knowing what the end will be. Mention must be made of the excellent work done in creating realistic backgrounds of different European cities visited by the hero. The story has a significant political angle; but it is of secondary importance to the melodramatic action, which is absorbing. The masses may find the beginning a little difficult to follow; but as the story develops the action becomes clearer and easier to follow. The romance is worked into the plot in an intelligent and appealing way. The performances are all excellent:—

Harry Davenport, head of a large American newspaper, is disgusted with the inadequate news he had been receiving from his foreign correspondents. He decides to send to Europe Joel McCrea, a tenacious reporter who stopped at nothing to get his story. McCrea meets in Davenport's office Herbert Marshall, head of an international peace league that was trying to prevent war in Europe. When McCrea arrives in London he again meets Marshall; also his charming, brilliant daughter (Laraine Day). McCrea tries to get information from Albert Basserman, an important political figure, about conditions, but in vain. Knowing that Basserman was expected at an important peace conference, McCrea waits outside in the rain so as to speak to him before he entered the meeting. Basserman arrives, but is assassinated before he could enter the building. McCrea sees the criminal enter an automobile and speeds after him. When he nears a windmill, the assassin's car suddenly disappears. McCrea sneaks inside the windmill and, to his amazement, finds Basserman, drugged and held by Germans prisoner. McCrea, realizing that an imposter had really been shot, goes for the police but by the time he returns with them no one is in the mill. Everyone laughs at his story. George Sanders, a London reporter, however, is interested. They discover that Marshall was really the head of the German espionage system, and that his purpose in kidnapping Basserman was to learn from him the secret terms of a treaty signed by several European countries. After many thrilling experiences they rescue Basserman; Marshall hurriedly prepares to leave by clipper with his daughter for America. McCrea and Sanders board the same plane. Having read a cable sent to Sanders that Marshall would be arrested on landing in America, Marshall reveals to his daughter the truth. Suddenly the clipper is attacked by German bombs and nose dives into the ocean. Only a few are saved. Marshall decides the best way out would be to drown himself. McCrea, who loved Miss Day, comforts her. They are rescued by an American liner bound for Europe. Through a ruse, McCrea manages to get his story through to his newspaper. Miss Day insists that he tell the truth. They marry and stay on in the war territory, from which McCrea sends his reports.

Charles Bennett and Joan Harrison wrote the screen play, and Walter Wanger produced it. In the cast are Robert Benchley, Edmund Gwenn, Eduardo Ciannelli, and others.

Class A.

**"Comin' Round the Mountain"
with Bob Burns**

(Paramount, August 16; time, 63 min.)

A mild hill-billy comedy. Only the most ardent followers of that type of entertainment will be amused, for, aside from the characterizations and a few hill-billy songs, the picture does not offer much in the way of amusement. Only on one or two occasions does the action provoke laughter. Both Bob Burns and Una Merkel are lost in parts that require little of their talents as comedians, and the fact that they make no impression is not their fault. The whole thing is just a hodge-podge of nonsense:—

Bob Burns, who had left his mountain folk for city life, returns there with his partner (William Demarest) for a rest. After listening to the folk render a song, Demarest hits upon the idea of putting them on the radio. At first they demur, for they resented wearing shoes and living in a village, but Burns induces them to try it. They make a hit on a small town radio. Just when a national station was ready to sign them up, the family decides to go back to the mountains, for it was time for them to start their feuding with another clan. In the meantime, Burns, who had fallen in love with Una Merkel, longs to do something to impress her so that she could forget Jerry Colonna, an aviator whom she had not seen for four years. He decides to run for Mayor against Harold Peary, the crooked Mayor. By getting the mountain folk interested, Burns wins. At the same time he wins Miss Merkel; she had again met Colonna and had been disgusted when he laughed at the fact that she waited for him.

Lewis R. Foster wrote the story and he and Maxwell Shane and Duke Atterbury the screen play; George Archainbaud directed it. In the cast are Don Wilson, Pat Barrett, Wm. Thompson, Richard Carle, Brenda Fowler, and others.

Suitability, Class A.

**"Captain Caution" with Victor Mature,
Louise Platt, Leo Carrillo
and Bruce Cabot**

(United Artists, August 9; time, approx. 90 min.)

A fairly good sea melodrama. There is plentiful excitement, which is brought about as a result of fights aboard ship and in battles between the British and American ships. It should appeal mostly to men, for, aside from the various fights, there is little in the story that might appeal to women. For one thing, the fighting is at times brutal, particularly in the closing battle; for another, the romance lacks tenderness—the hero and the heroine are bickering most of the time. The heroine's setting out as Captain of a ship to fight the English is somewhat unbelievable. There is occasional comedy:—

While on its return from the Orient to Arundel, Maine, the ship Olive Branch is stopped by a British vessel. The Captain (Robert Barrat), unaware that England and America were at war, refuses to stop and, instead, fights. He is killed and the ship is captured. The Captain's daughter, Corunna (Louise Platt), enraged because her sweetheart Daniel Marvin (Victor Mature), first mate, had refused to fight, calls him a coward and swears to avenge her father's death. She, Daniel and others are taken prisoners. On board the British ship they meet other prisoners—Lurman Slade (Bruce Cabot), an unscrupulous Englishman, and Lucien Argandieu (Leo Carrillo), an excitable French-Canadian, who had both been engaged in the slave trade. The British ship is in turn captured by an American frigate. The Americans give the Olive Branch back to Corunna. Instead of listening to Daniel, Corunna takes the advice of Slade and sails for France, instead of America, there to sell her cargo and obtain a commission to fight the English. But Slade, who intended to continue in the lucrative slave business, double-crosses Corunna and obtains her ship for himself. He tells her that Daniel had surrendered the ship, and that he had taken it to protect it. He and Corunna set sail. In the meantime, Daniel and the others, who had been taken prisoners and had escaped, capture a yacht and sail in pursuit of the Olive Branch. Aided by fog, Daniel and his men overtake the Olive Branch and, after a terrific fight with Slade and his men, wipe them out. Corunna and Daniel are reconciled; she confesses that she had been wrong.

Kenneth Roberts wrote the novel, and Groves Jones the screen play; Richard Wallace directed it, and Groves Jones produced it. In the cast are Vivienne Osborne, El Brendel, Roscoe Ates, Miles Mander, Pat O'Malley, and others.

Suitability, Class A.

"Mystery Sea Raider" with Carole Landis, Henry Wilcoxon and Onslow Stevens

(Paramount, August 9; time, 77 min.)

A good program melodrama. The action is, not only exciting, but timely as well, since it is concerned mostly with the activities of a German sea raider during war time. In spite of the fact that it occasionally seems far-fetched, the plot on the whole is interesting enough to hold one's attention throughout. The closing scenes, where the American prisoners send through a message for help, holds one in tense suspense. The romance is pleasant:—

Carole Landis, while on her way back to America from Europe, becomes acquainted with one of the passengers (Onslow Stevens), a German Agent. Because of a code message to a German submarine, giving their exact location, the ship is torpedoed and sunk. Stevens saves Miss Landis' life, and they continue their friendship when they return to America. But Miss Landis was in love with Henry Wilcoxon, owner of a stranded freighter. Inducing him to use Wilcoxon's boat in his supposed "export" business, Stevens contacts Wilcoxon and signs a contract with him. When his men fail in their instructions to kill Miss Landis, he orders them to take her aboard the ship on which he intended to sail with them. Wilcoxon knew nothing about it. When they are in mid-ocean, Stevens makes his identity known. Informing Wilcoxon that he was going to use the ship as a raider, to work with submarines, he makes him and his men prisoners. When Wilcoxon learns that Miss Landis was aboard, he believes that she was working with Stevens, and refuses to talk to her. Stevens is responsible for the sinking of many ships. Miss Landis conceives the idea of sending out s.o.s. messages in bottles attached to flares that she had cut from life preservers. Wilcoxon then realizes that he had misjudged her. Their scheme works; a British ship comes to their rescue. The British torpedo the boat and capture the crew. Stevens prefers to go down with the boat. Wilcoxon and Miss Landis are reunitied.

Robert Grant wrote the story, and Edward E. Paremore the screen play; Edward Dmytryk directed it and Eugene Zukor produced it. In the cast are Kathleen Howard, Wallace Reid, Sven Hugo Borg, Henry Victor, and others.

Suitability, Class A.

"Rhythm on the River" with Bing Crosby, Mary Martin and Basil Rathbone

(Paramount, September 6; time, 92 min.)

Excellent tunes, good comedy, and a pleasant romance combine to make this one of Bing Crosby's best pictures. He plays the type of character his fans like—that of an easy-going, unexcitable young man with a pleasant manner, a musical talent, and an eye for romance. He puts over a few numbers in his customary style. But he is not left alone to carry the picture; Mary Martin helps him, with her personal charm and her good voice; she can sing anything from a swing number to a ballad. Radio listeners, who have become accustomed to the wit of Oscar Levant by listening to the "Information Please" programs on which he appears, should enjoy his performance:—

Basil Rathbone, a famous composer of popular music, having gone stale, employs Crosby to write his music, with the understanding that no one was to know that he, Crosby, was his ghost writer. When he learns that his "ghost" lyric writer had died, he orders his secretary (Oscar Levant) to search for a new one. They find Mary Martin, and call her for an appointment. Although she wanted to get credit for her work, the salary offered was too good to turn down, and so she accepts the job, not knowing that Rathbone did not even write his own music. The two ghost writers meet by chance, and fall in love. When they discover that they both worked for the same man, they decide to stop being "ghosts" and strike out for themselves. Finding his style similar to Rathbone's, music publishers turn down their music; no one knew, of course, that he was the originator. Miss Martin finally accepts a position as singer in a fashionable night club, where she makes a hit. Crosby goes back to work for Rathbone so as to get enough money to buy Miss Martin the clothes she needed, leaving as security with Rathbone a song he and Miss Martin had written, which they did not intend to publish, for it spoke of their love. Rathbone tries to pass it off as his own, but Crosby compels him to make an announcement at the night club that he and Miss Martin had composed it; otherwise, he would denounce him. Rathbone does so, and everyone is happy.

Billy Wilder and Jacques Thery wrote the story, and Dwight Taylor, the screen play; Victor Schertzinger directed it, and William LeBaron produced it. In the cast are Oscar Shaw, Charlie Grapewin, Lillian Cornell.

Suitability, Class A.

"He Stayed for Breakfast" with Loretta Young and Melvyn Douglas

(Columbia, August 22; time, 88 min.)

A lavish production, good direction and acting, and a story that combines comedy with sex, make this very good entertainment for adults, particularly in the class trade. Audiences in small towns may not fully understand the satirical implications with reference to communism; otherwise, the story is easy to follow. The dialogue is "racy" and in spots the action suggestive; this is so particularly in the situation where the heroine, dressed in a low-cut clinging gown, confronts the hero, admitting that she knew that the dress drove him "erazy." Occasionally the action slows up, because of the excessive dialogue. Una O'Connor provokes hearty laughter each time she appears. In highly religious communities patrons may resent the light treatment of marriage:—

Melvyn Douglas, a communist labor organizer, takes a shot at Eugene Pallette, a millionaire banker, who annoyed him because of the way he held a cup. In the excitement that follows, he manages to escape by knocking out a policeman and dressing in his uniform. He goes with the police to the apartment of Loretta Young, Pallette's wife, who had been separated from him, and compels her to hide him. Since the place had been surrounded by police, he insists on staying on. Although he eats and drinks the best of everything, he keeps spouting his communistic theories about the way the rich exploited the poor, annoying both Miss Young and her maid (Miss O'Connor). The two women soon begin to like him; as a matter of fact, Miss Young falls in love with him. He, too, falls in love with her, but he refuses to admit it, stating that nothing could take his thoughts away from the communist party. Eventually love gets the best of him. He manages to get out of the house to go to a meeting. When the party leaders demand that he involve Miss Young, he denounces them, and is thrown out bodily. By promising to go back to him, Miss Young induces her husband to withdraw the charges against Douglas, so that he might leave for America. Because Pallette annoys her by the way he held his cup, just as he had annoyed Douglas, she takes a shot at him; she then flees to Douglas for protection. They leave for America, intending to marry after her divorce.

The late Sidney Howard wrote the story, and P. J. Wolfson, Michael Fessier and Ernest Vadja, the screen play; Alexander Hall directed it, and B. P. Schulberg produced it. In the cast are Alan Marshal, Curt Bois, and Leonid Kinsky.

Unsuitable for children and adolescents. Class B.

"The Lady in Question" with Brian Aherne, and Rita Hayworth

(Columbia, August 7; time, 81 min.)

This drama, with comedy touches, offers a novel plot. Because of this, and of the fact that the performances are very good, it will most likely appeal to the classes. But average audiences, particularly the woman trade, may find the action a little slow, and the part played by Aherne, although well-acted, somewhat disappointing, for it is far removed from the romantic. He plays a commonplace, father of grown children, a middle-aged married man, unattractive in appearance. The characters, and not the situations, provoke the comedy. The action unfolds in France:—

Brian Aherne, a kindly middle-aged man who ran a bicycle shop, is overjoyed when he receives a notice to serve on the jury. The case involved Rita Hayworth, who had been accused of having murdered her lover. Aherne, believing in her innocence, induces the jurors to vote for an acquittal. Later he gives her a position in his shop, without telling his wife (Irene Rich) who she was. But his son (Glenn Ford), who had been at the trial, recognizes her and is shocked. But in time he grows to love her. Aherne's wife and daughter begin to resent her presence. Curt Bois, who had served on the jury with Aherne, and felt that the girl was guilty, calls on Aherne several times to talk over theories about the girl's guilt. Aherne, upon learning that his son was in love with Miss Hayworth, changes his attitude towards her and believes that she had been guilty. He goes to see the chief Judge about the case; but before he could say anything, the judge congratulates him for having believed in the girl, because new evidence had been uncovered, completely clearing her. Aherne is overjoyed, and returns home a happy man. He gives his consent to the marriage.

Marcel Achard wrote the story and Lewis Meltzer the screen play; Charles Vidor directed it, and B. B. Kahane produced it. In the cast are George Coulouris, Lloyd Corrigan, Evelyn Keyes, Edward Norris, and others.

Not for children. Class B.

HERE AND THERE

THE ANNUAL CONVENTION of Allied Theatre Owners of New Jersey will be held at the President Hotel, at Atlantic City, on September 25, 26 and 27.

Last week the Convention Committee held a meeting and decided to give to Mr. Abram F. Myers, general counsel of National Allied, a testimonial dinner on one of the evenings of the convention, making the regional convention a sort of national affair.

It is to be hoped that exhibitors from all over the country will be present to pay homage to a leader who has been the first in the history of exhibitor organizations to hold exhibitors together in a national unit for so many years without a break in the ranks. In addition to having an opportunity to do honor to Mr. Myers, they will spend a few joyful days on the cool shores of the famous summer resort.

* * *

HENDERSON M. RICHEY, for years business manager of the exhibitor organization in Detroit, an outstanding national Allied leader, and for about one and one-half years connected with the RKO home office, has resigned his position with RKO to go with Metro-Goldwyn-Mayer to become an assistant to W. F. Rodgers, general manager of distribution of that company.

In view of the fact that Metro-Goldwyn-Mayer seldom engages people from the outside, preferring to promote men from the ranks, the engagement of Mr. Richey certainly confers an honor upon him.

It is assumed that Mr. Richey's position is to be a contact point between exhibitors and the company; also between the company and the public. It is an idea Mr. Rodgers has had for some time, and felt that Mr. Richey could carry it out most satisfactorily.

Having known "Hendy" Richey for many, many years, I feel that Mr. Rodgers could not have made a better selection for the fine purpose he has in mind.

The appointment of Mr. Richey to that post should prove of benefit to the independent exhibitors, as well, for Hendy is still an independent exhibitor representative at heart.

* * *

HARRY C. ARTHUR, JR., of Fanchon and Marco, operators of several theatres in St. Louis, Mo., has adopted a revolutionary operating policy for the Ambassador. He will show only a single feature, and only once of an evening, with all seats reserved.

HARRISON'S REPORTS wishes to Mr. Arthur a great success in this policy, for it raises the dignity of picture exhibition. If he makes a success of it I am sure that other exhibitors will follow his example.

* * *

THE CONSENT DECREE has certainly become a football—again it has been kicked to the other team; the producers have told the Department of Justice what changes they want.

It is doubtful whether Thurman Arnold will accept the suggested changes, for they emasculate the decree.

It seems as if any further negotiations for a consent decree are useless, and in all probability the trial of the equity suit will proceed in October.

* * *

THE GREAT SUCCESS of "Pride and Prejudice" at the Music Hall must have been a great surprise even to the MGM home office, for everyone thought that it would not make so sensational a hit, because of the fact that it is a costume play.

The success of this picture is owed only to one fact: it is a great picture, the kind that should make everyone connected with the motion picture industry hold his head high.

The picture may or may not fare so well in the smaller towns; on the other hand, the success that it is having in the big cities may electrify the amusement seeking public, and may induce even those who go to the picture theatres either seldom or very infrequently, to go to see it. If so, a substantial number of these should become permanent picturegoers.

Whether the picture will or will not fare well in small towns, however, it is to the interest of every exhibitor to show this picture; and to show it not as an ordinary picture, but to give it the highest form of exploitation. If he should so decide to exploit it, I am sure that he will find that the MGM organization will give him the best possible aid.

* * *

ALLIED STATES ASSOCIATION has set up an exhibitors' information service, the purpose of which is to gather from the exhibitors information as to selling terms and other matters, and to impart such information to the members for their guidance.

Sidney Samuelson, of Eastern Pennsylvania, Arthur K. Howard, of the New England States, Don R. Rossiter, of Indiana, and P. J. Wood, of Ohio, are the information-gathering committee, with Abram F. Myers as its counsel.

Information of this kind can be of immense value to the exhibitors.

A FEW DAYS AGO I read in a Corpus Christi, Texas, paper the following news item:

* * *

"PORT ARTHUR, Texas:—The management of a Port Arthur moving picture theatre, finding itself with a good picture which had received very little publicity to attract customers, offered to let everyone in free. If the customers felt the show was worth the price of admission, they could pay at the box office on the way out. Only one percent of the audience paid. One man said he enjoyed the film very much—but he was going to keep his money because he felt he'd been cheated so often on the pictures they showed at Bank Night!"

If that exhibitor were smart, he would have invited people to pay the regular admission and if anyone didn't like the picture he could have asked for the return of his money. In this manner perhaps only one per cent would have requested a refund.

PICTURES NOW IN PRODUCTION

Columbia

"WOMEN UNDER 21," with Paul Kelly, Rochelle Hudson, Bruce Cabot. Program.

Metro-Goldwyn-Mayer

"SKY MURDER," with Walter Pidgeon, Joyce Compton, Donald Meek, Reginald Owen and others, produced by Frederick Stephani and directed by George Seitz. Mr. Stephani has been producing all along good program pictures, and since Mr. Seitz is a good director the picture should turn out a good MGM program picture.

Paramount

"QUARTERBACK": The facts about this picture were given under the title, "Touchdown," in the July 20 issue.

RKO (Radio) Pictures

"NO, NO, NANNETTE," with Anna Neagle, Kent Taylor, Helen Broderick, Roland Young, Zasu Pitts, and others, produced and directed by Herbert Wilcox at the RKO studio in Hollywood. It is based on the musical comedy by Frank Mandel and Otto Harbach, which was produced in 1925, playing to 321 performances. In London it played to 665 performances. In 1930, First National produced it one-half in black and white and one-half in technicolor. The black and white part was excellent; the technicolor part was tiresome, and the color work, at that time in its infancy yet, was poor. With the advance in technique, Mr. Wilcox will undoubtedly better the work of First National. Consequently, the picture should turn out very good, or at least good, with similar box-office results.

"THREE GIRLS AND A GOB," with Maureen O'Hara, produced by Harold Lloyd, and directed by Richard O'Hara. This is the first picture to be produced by Harold Lloyd as a producer instead of as a comedian, and we shall have to wait to see what he can do as a producer before definitely determining the possibilities of a picture produced by him. The story is an original comedy-drama, by Grover Jones and Harold Lloyd himself. The way the story reads one gathers the impression that, though it is not big, it is amusing. Perhaps Mr. Lloyd will find a way of handling it that will result in a very amusing picture.

Twentieth Century-Fox

"THE GAY CABALLERO," with Cesar Romero. For double bills.

Universal

"FIREMAN, SAVE MY CHILD!" with Baby Sandy, Stuart Erwin, Una Merkel and others. In 1937, Paramount produced a slap-stick comedy with Wallace Beery, under the title "Firemen, Save My Child"; it went over pretty well. In 1932, First National produced a good comedy with Joe E. Brown, under the title "Fireman, Save My Child"; it went over even better than the Paramount version. I have no idea whether the Universal picture has any relation to the story of either of these two pictures, but the title is catchy and if good slap-stick action were incorporated in the picture there is no reason why Universal should not make a pretty good hit.

If my memory serves me right, a picture under the same title was produced in the single-reel days and went over very big.

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THE RIGHT TO BUY

THE GOVERNMENT'S SUIT against the motion picture industry, says the August 10 issue of *Motion Picture Herald*, under the heading "The Right to Buy," has as many aspects as it has lawyers, and exactly as many complications as there are operations in the conduct of the amusement industry—but still basic, probably most important, is that ancient issue of 'the right to buy.'

It seems as if all the maneuvering by the affiliated exhibitors, and all the counter-maneuvering by the independent exhibitors, revolves around one issue—the right to buy. The affiliated exhibitors want to retain their old privilege of employing their buying power to buy the choice pictures first, and to keep them away from their competitors, independent exhibitors, either for all time, or for as long a time as possible, and the independent exhibitors want the Federal Government to compel the producers to grant them the right to buy whatever pictures they want and to reject the pictures they don't want, a right enjoyed freely by the buyers in every other industry.

In seeking to enforce the right to buy, however, the independent exhibitors violate no law, whereas the affiliated exhibitors, in seeking to protect their old privileges, may, and some of them already have, run afoul of the law, as may be evidenced by the many court decisions against them for conspiracy in restraint of trade. And that makes a difference. The fact that, despite these court decisions, they have been able to retain their privilege is owed solely to the fact that up to this time no one has tried to enforce the law in the manner that has Mr. Thurman Arnold, Assistant U. S. Attorney General.

There are producer-distributors who want peace in the industry; they are willing to sacrifice some of the prerogatives they have enjoyed heretofore under the assumption that the seller has the right to dispose of his product, particularly when it is protected by the copyright laws, the way he sees fit, unaware of the fact that there are in the statute books laws that make such an assumption under certain circumstances unlawful. They were lulled into security by their highly-paid lawyers who saw no violation of the law in the excluding of pictures from competitors and in the making of an understanding with other producer-distributors as to the length of protection they should grant the exhibitors they favored.

WASTED EFFORTS

SEVERAL WEEKS AGO, Samuel Goldwyn persuaded Dr. Gallup to conduct a poll for the purpose of finding out whether the public is or is not in favor of double-bills.

When the scheme was first launched, it was announced by Mr. Goldwyn to a gathering of trade paper representatives, as well as to newspaper reporters. Dr. Gallup was present to explain the intricacies of poll-conducting.

The poll, as every one of you no doubt knows, has been conducted; it has proved that the majority of the picture-goers are in favor of single features.

That a substantial percentage of the public would be against the double-features anybody could have guessed, even without a poll; what the poll did was to establish the approximate percentage.

When Mr. Goldwyn announced the purpose of the meeting, I formed the opinion that the poll would do no good to the industry, and I have not changed my opinion now, despite the poll's findings.

What good has the poll done? None! On the contrary, it has made the public conscious of the fact that the industry is beset with another evil—that some picture people are for and some against the double-feature programs, just as are the picture-goers. And what good will the poll contribute towards the elimination of double-features in accordance

with the wishes of those who want them eliminated? None! I told Mr. Goldwyn at that meeting that some sections of the country have become so accustomed to double-features that, whenever single-features are shown, the theatres do not draw even a "corporal's guard." One of such territories is the New England states.

Can Mr. Goldwyn take the position that giving the public an idea about the existence of evils is good for the industry?

Is the double-feature program an evil?

In the opinion of this paper, it is and it is not—it all depends on the type of pictures that are double-featured: Double-featuring "Boom Town" and "All This, and Heaven Too," or "The Sea Hawk" and "Foreign Correspondent," for example, is so vicious a practice, so destructive to the interests of the industry as a whole, that everything should be done within the law to put an end to it; but I see no harm in the double-featuring of "Blondie Has Servant Trouble" and "Stage to Chino," or of other pictures of this type. As a matter of fact, such pictures should be double-featured; when so great a number of picture-goers show preference for double-feature programs the industry cannot afford to ignore their wishes, as Mr. Goldwyn seems to be attempting to induce us to do.

As to putting an end to the evil of playing two, and even three, costly pictures at the same time, perhaps Mr. Murray Silverstone, president of United Artists, has hit upon the method, as discussed in last week's issue.

MISINFORMATION

THAT MOST OF THE protests that are now sent to the Department of Justice by some exhibitor organizations and some individual exhibitors are inspired no one has any doubt. But this paper is not concerned so much with that as it is concerned with the misleading statements that are made in some of the communications of these organizations.

I have before me a letter sent by Lewen Pizor, president of United Motion Picture Theatre Owners of the Philadelphia zone, to whatever organization members are left in it, urging these members to protest to Thurman Arnold against the consent decree provision that obligates the producers to trade-show their pictures and to sell them in groups not exceeding five in number. It says partly:

"This provision . . . places the exhibitor at the mercy of the distributor, forcing him to buy in blocks of 5 even though 2 or 3 may be objectionable. This would nullify the cancellation rights you may have or hope to get. . . ."

What cancellation rights is Lewen Pizor talking about? This year's contracts, with the exception of Metro-Goldwyn-Mayer, Warner Bros., and Columbia, contain only a ten per cent cancellation right, but it is surrounded with so many restrictions that this clause might just as well have been left out. The Columbia contracts do not even contain such a clause. As to the contracts of the other two companies, both of which promised a twenty per cent cancellation right, all I can say is that, only MGM is living up to its promise, recognizing that right to the fullest extent; according to reliable information, the Warner Bros. sales forces are laughing at their offer.

Pizor talks about the exhibitor's inability to cancel the two or the three undesirable pictures that might be contained in the group of five. By such a statement, he leads the readers of his circular letter to believe that, under the present system, an exhibitor has the right to cancel two, and even three, pictures out of each five—that is, anywhere from forty to sixty per cent.

I don't know how many of you have fallen for this sort of nonsense, but all this paper wishes to say is that the present selling system has become so obsolete that a change must occur; otherwise, the picture quality will keep on deteriorating.

"Earl of Puddlestane" with James, Lucile and Russell Gleason

(*Republic*, August 31; time, 66 min.)

This addition to the "Higgins Family" series is pretty entertaining. The plot is far-fetched and even silly; but, since the action moves along at a fast pace, and the situations are at times comical, the picture serves its purpose well enough as a good filler in a double-feature program. Several musical numbers are worked into the story without retarding the action:—

Harry Davenport is annoyed when his granddaughter (Lois Ranson) is dismissed from the cast of a charity show by order of a society matron (Betty Blythe), who wanted her own daughter to take the leading part. Davenport engages Forrester Harvey to pose as a London solicitor who had arrived to inform James Gleason (Joe Higgins) that he was the long-lost heir of the late Earl of Puddlestane. When Miss Blythe learns that Gleason was an "Earl," she rushes to offer her friendship and to insist that Miss Ranson take back the leading part. Miss Blythe's husband (William Halligan) insists that Gleason become the general manager of his advertising concern; Gleason proves to be a very capable manager. When Harvey tries to blackmail Davenport, Gleason learns the truth; he is horrified, for his family had moved to expensive quarters and had started spending the supposed "inheritance." He tells Halligan the truth; but Halligan urges him to continue posing as the earl because of an important deal that was coming up with a British Lord (Aubrey Mather). Halligan's own jealous daughter, however, exposes Gleason. But it makes no difference to Mather; thinking that it is a good joke, he closes the contract. Gleason keeps his job and his family forgets about titles.

Val Burton and Ewart Adamson wrote the original screen story. In the cast are Tommy Ryan, Eric Blore, Mary Ainslee, Ben Carter, and others.

Suitability, Class A.

"Lucky Partners" with Ginger Rogers, Ronald Colman and Jack Carson

(*RKO*, August 23; running time, 99 min.)

A highly enjoyable comedy. Even though the story is simple, it is made impressive through expert handling by director Milestone; he brought out the best there was in the two capable stars, Ginger Rogers and Ronald Colman. And he did the same with Jack Carson, presenting him as a real dope, spying on the girl he was engaged to. There is comedy aplenty, and considerable human interest. The situations of having an unmarried girl out with an unmarried young man have been handled with such delicacy that the spectators will often chuckle out of sheer delight for the heroine's "predicament." The court-room scenes, where the hero is tried on a charge of having ostensibly stolen an automobile, which he himself had bought for the heroine, prove Mr. Milestone's artistic ability. Handled by an inexpert director, these might have turned out farcical. Picture-goers will get much enjoyment out of these scenes. It was a happy thought on the part of RKO to bring these two artists, Colman and Rogers, together; they should make a team even better than the team of Rogers-Astaire:—

While on her way to deliver some books to a wealthy home, Ginger is met by Colman, a stranger to her, and is wished good luck. Ginger, surprised and intrigued, stops to ask the stranger why he had made such a wish for her. But he could give no reason whatever. When Ginger arrives at the wealthy home, she finds mother and daughter quarreling and the mother takes a fine dress, and hands it to the heroine as a present. The heroine returns home joyful, attributing her good luck to the stranger's wishes. If she could only find him to persuade him to join her in a purchase of a sweepstake ticket! They would be sure to win. She could then marry her Freddie (Jack Carson.) What is her surprise when she discovers that the stranger, an artist, was living in the neighborhood! He consents to join her in the purchase of the ticket provided she would agree to go with him on a platonic honeymoon before her marriage to Carson. She feels so insulted that she brings Carson and informs him of the proposition. Carson is made to understand that there was no "catch" in the offer and, seeing nothing wrong with it, persuades her to accept it. The ticket draws a horse and they have an offer for \$12,000. But they refuse to sell it. Carson, however, unknown to Ginger, sells her half for \$6,000. The ticket fails to win, but Ginger has \$6,000. Ginger, feeling that Colman still was a partner, hands him \$3,000. Then they go on a trip as brother and sister, and Ginger has the time of her life. But the two soon discover that they were falling in love with each other and Colman, feeling that that was not in the agreement, prepares to go away. Carson, jealous, arrives to spy on them. Colman, leaving a note for

Ginger explaining things, takes the car to drive away. He is stopped by a motorcycle cop and, unable to prove ownership of the car, is taken to the judge. There is a trial the following day and neither one of the three is able to explain satisfactorily his part in the affair. Colman then reveals the fact that he was a famous artist, who once had served a jail sentence for having painted something that at that time was considered indecent, but now was held by the public to be a piece of art. After a cross examination of the three, the judge, not only acquits Colman, but also, at the insistence of Ginger, apologizes to him on behalf of the bench of the United States for his first imprisonment, declaring it unjust.

The screen play was written by Allan Scott and John Van Druten, from the story "Bonne Chance," by Sacha Guitry. George Haight produced it.

Suitability, Class A.

"Money and the Woman" with Jeffrey Lynn, Brenda Marshall and Roger Pryor

(*Warner Bros.*, August 17; 66 min.)

A fairly gripping program picture, of a hero, banking official, who tries to help the heroine, wife of a bank teller (Roger Pryor) who had stolen money from the bank to take care of a woman (Lee Patrick.) The theft is discovered when Pryor goes to the hospital for an operation. Because the hero (Jeffrey Lynn) had fallen in love with the dishonest teller's wife (Brenda Marshall), he tries to cover up the theft by replacing the money; he and Brenda worked day and night to discover all the discrepancies, until they succeeded. In the end, Pryor holds up the bank. While escaping, he is shot and killed. This leaves the two free to marry.

Just how it happened that the wife of a bank teller took the place of her husband at the teller's window is something that only Warner Bros. can explain; such things seldom happen in life.

The story is by James M. Cain; the direction, by William K. Howard. Some others in the cast are Henry O'Neil, John Litel, and "Big Boy" Williams.

Suitability, Class B.

"Flowing Gold" with Pat O'Brien, John Garfield and Frances Farmer

(*Warner Bros.*, Aug. 24; time, 80 min.)

A fairly good melodrama, with oil fields as its background. It was produced once before, in 1924, by First National; it was a good thriller. The story has been changed considerably and, although it excites, it is not of the real thriller type. The most exciting situation is that in which the oil well is struck by lightning and bursts into flames. Men will probably enjoy the picture more than women, for the characters are tough, and there are plentiful fist fights. Because most of the action takes place on oil fields, with the characters, including the heroine, wearing rough clothes, the background lacks glamour. The hero is not particularly likeable; his "smart-alecky" manner annoys one. The romance is routine:—

John Garfield, wandering around the oil fields looking for a job, finally lands one with Pat O'Brien. He wins O'Brien's friendship when he knocks out a drunken worker who had tried to kill him because he had discharged him. O'Brien is shocked when the Sheriff calls with a poster showing that Garfield was wanted on a murder charge. Garfield tells him he had killed the man in self defense and O'Brien, believing him, helps him escape. They meet again in California, where O'Brien had gone to work a claim leased by Raymond Walburn. Garfield, who had been heading a gang hired to stop Walburn from drilling, changes his plans when he finds out that O'Brien was working for Walburn. He orders the gang off the premises and goes to work with O'Brien. Garfield becomes interested in Walburn's daughter (Frances Farmer), who at first had shown contempt for him. When O'Brien meets with an accident, Garfield takes his place. On the day that O'Brien returns to the camp, the gusher comes in but it proves to be just water. He tests it and cries out that if they went deeper they would get oil; and things turn out as he had judged. It meant wealth for them all. Garfield and Miss Farmer are in love; he had told her everything and she had agreed to go to Venezuela with him. Just as they are preparing to leave, the oil well catches fire and Garfield naturally stays to help. The Sheriff later arrests him. He goes to prison, but every one cheers him up, saying they would help him prove his innocence.

Rex Beach wrote the story, and Kenneth Garret the screen play; Alfred Green directed it, and William Jacobs produced it. In the cast are Cliff Edwards, Granville Bates, Ed Pawley, and others.

Suitability, Class A.

"I Married Adventure"

(Columbia, July 24, time, 78 min.)

This picture relates the adventures of Martin and Osa Johnson on their various treks to Africa, starting from their first trip after their marriage to the last one, just preceding his death.

Since Martin Johnson died in an aeroplane accident, certain portions in which he supposedly appears with his wife are studio shots; it is quite obvious that a double plays his part.

As entertainment, the picture is not unusual; many adventure pictures have been seen, some even more thrilling than this one. Moreover, several shots seem to be old, presumably taken from their other pictures, but the others are new.

The pictures taken during their first two trips are rather crude, as would be pictures taken before photography was perfected.

The first trip undertaken by the Johnsons to Borneo turned out unsuccessful, first, because of Mr. Johnson's illness; and, secondly, because they arrived there during the rainy season, and found it impossible to explore the country-side.

Discouraged on their return to America, they were heartened by the words of Carl Akeley, a renowned explorer, who urged them to try again. This time they went better equipped. (A few exciting scenes are shown during this safari, such as the one in which Mrs. Johnson kills her first lion, and another where, with one shot, she stops a charging rhinoceros.)

As usual, monkeys provide the comedy.

On their third trip, the Johnsons used amphibian planes to explore Africa. This enabled them to obtain shots that ordinarily could not be taken, such as scenes of stampeding elephants, and a mass of thousands of animals in search of water.

The final scenes, which show the capture of a giant orang-outang, are pretty good.

The story has been adapted from the novel by Mrs. Johnson. Don Clark and Albert Duffy wrote the narration, Jim Bannon is the commentator, and Ralph Dixon the editor.

Suitability, Class A.

"Dance, Girl, Dance!" with Maureen O'Hara, Louis Hayward, Lucille Ball and Ralph Bellamy

(RKO, August 30; running time, 88½ min.)

Excellent! The story is substantial, the action "fast and furious," there is plentiful human interest, there are tuneful musical numbers, beautiful gowns, there is glamour, and a sympathetic implied romance. There is also, between two of the leading women, a fight that should, not only excite the onlookers, but also give them good laughs. Miss O'Hara does excellent work in the leading part; she is sympathetic and succeeds in awakening warm sympathy for the character she impersonates. In short, the picture possesses everything needed to make it attractive to picture-goers:—

The gambling "joint" where Maureen O'Hara, one of a troupe of six chorus girls, was dancing for an honest living, is raided and, while arguing with an officer with the hope of getting her salary, Louis Hayward, a spoiled millionaire playboy seeking to drown with drink his sorrow because his wife was divorcing him, becomes interested in her case. Maureen returns to New York to her agent and dancing teacher (Maria Ouspenskaya.) Maria decides to take her to Ralph Bellamy, who had been conducting a dancing studio, and who often provided tuition for talented girls, but before reaching the studio she is run down by a car and killed. A week later Maureen calls at his studio, but before being received by him she sees fine dancing and, feeling that she was unable to fill the bill, leaves. Lucille Ball, one of the troupe, interests a sponsor, who obtains a strip-tease spot for her in burlesque, and she becomes highly popular overnight. She obtains a job for Maureen as a "stooge" in her act. Hayward comes to New York to find more solace and drifts into the theatre, still drunk. He mounts the stage and expresses his drunken regret at the poor treatment the audience was giving to Maureen. Maureen is glad to see him again. But Lucille takes him away from her and makes him marry her. On the night of her last appearance at the theatre, Lucille sees Virginia Field, Hayward's ex-wife, come to spoil her game. Maureen realizes that Hayward still loved Virginia. At the end of the act, Maureen, unable to tolerate Lucille any longer, grapples with her and the two roll on the stage, to the merriment of the audience. Both are arrested. At their trial the following morning, Maureen is found guilty of disorderly conduct and sentenced to ten days in jail. She refuses to be bailed by Hayward. But Bellamy bails her out and leaves word that she should

call at his studio. Maureen is at first surprised but Bellamy's kind face reassures her and she accepts a position with him.

The story is by Vicki Baum; the screen play, by Tess Slesinger and Frank Davis. Erich Pommer produced it, and Dorothy Arzner directed it. Some others in the cast are Edward Brophy, Mary Carlisle, Walter Abel, and Ernest Truex.

Suitability, Class A.

"Fugitive from a Prison Camp" with Jack Holt, Robert Barrat and Marian Marsh

(Columbia, Sept. 5; time, 59 min.)

Just a trite program melodrama. The story, developed according to formula, is dull; it lacks novelty, and is unexciting. And the production values are poor. Even the performances are stilted; but, considering the material, one realizes that the fault is not with the players. The romance is incidental:—

Phillip Terry goes to the hideout of a gang headed by Jack LaRue, in an effort to induce young George Offerman, Jr., brother of Miss Marsh, to whom he was engaged, to give up his life of crime. The police raid the place and arrest Terry along with the others. LaRue warns his gang not to say anything in Terry's defense, for he believed that Terry was a stool-pigeon. Terry goes to prison along with the others. Jack Holt, the county sheriff, believing in Terry's story, promises to help him get a new trial. In the meantime Holt sends him with some other prisoners out to a camp to do road work. Robert Barrat, the engineer, working hand in hand with a contractor who wanted the job, puts obstacles in the way of the prisoners and spreads word that their lives were endangered by working on the job. Terry, disgusted at the delay in his case, runs away; at the same time three other prisoners escape. The three are caught after one had been shot. Guessing that Terry would go to Miss Marsh's apartment, Holt goes there. Terry does arrive but, on seeing Holt, tries to shoot his way out. Holt then tells him that the wounded prisoner had talked, clearing his name.

Stanley Roberts and Albert DeMond wrote the story, and Albert DeMond the screen play; Lewis D. Collins directed it, and Larry Darmour produced it. In the cast are Dennis Moore, Frankie Burke, Donald Haines.

Not for children. Suitability, Class B.

"One Crowded Night" with Billie Seward and William Haade

(RKO, Aug. 9; time, 67½ min.)

This is a fair double-bill melodrama. Although not known much, the performers are capable. And there is enough interesting, and at times fairly exciting, action to hold one's attention pretty well. Since all the action takes place at a roadside camp in the desert, the production values are naturally modest. J. M. Kerrigan, in the part of a run-down doctor, provokes laughter by his line of chatter:—

Gladys Clark (Billie Seward), a waitress and all-around helper at the roadside camp run by the Matthews family (Emma Dunn, George Watts, and Gale Storm) and their married daughter Mae (Anne Revere), agrees to marry Joe Miller (William Haade), a truck driver. He promises to call for her at nine o'clock that evening. In the meantime, a young woman who had been too ill to travel further on the bus, and who had stopped off at the camp, cries for help. Realizing that she was going to have a baby, Pa Matthews induces Brother Joseph (J. M. Kerrigan), peddler of patent medicine, to deliver the baby, for he knew that Joseph had once been a good doctor. Mae's husband Jim (Paul Guilfoyle), who had escaped from prison in an effort to find the two men who had framed him so as to clear his name, hides in one of the cabins. The two guilty men arrive, their purpose being to find Jim and kill him before he could talk. They recognize Gladys as the former girl friend of a racketeer, and threaten to expose her unless she would help them get Jim. Instead, she rushes for help to the cabin where two detectives were taking back to headquarters a young deserter from the Navy, thus risking her life. A gun battle ensues and one of the criminals is killed; the other confesses, thereby clearing Jim's name. It develops that the young mother was the sailor's wife; he had deserted in an effort to find her. Gladys finally marries Joe, who refused to worry about her past.

Ben Holmes wrote the story, and Richard Collins and Arnaud d'Usseau, the screen play; Irving Reis directed it, and Cliff Reid produced it. In the cast are Charles Lang, Adele Pearce, Dick Hogan, Don Costello, Casey Johnson.

The criminal action makes it unsuitable for children. Class B.

DARRYL ZANUCK SUCCUMBS

DARRYL ZANUCK has at last succumbed to the temptation of purchasing "Tobacco Road," the Erskine Caldwell novel and Jack Kirkland play.

Here is a short description of the story:

"The hero, head of a white trash Georgia family, feels that he was entitled to live on the land his fathers before him had rented, but the banks feel differently; they take the land away from him. His son marries a lustful woman just for the chance of running an automobile with which he eventually runs over his mother and kills her. His elder daughter abandons her husband and the younger daughter goes to live with her lonely brother-in-law. His mother wanders into the woods and probably dies. He is too tired to keep on digging graves."

If you can see anything in this story idea for a picture you may justify Mr. Zanuck in his decision to purchase the play; but I doubt whether any one of you can.

What made the play successful is the "horsing" scene, enacted on the stage with unsurpassed boldness; it shows a married man confessing that his wife would not perform her conjugal duties with him, and his wife's sister, upon hearing his confession, warms up to him, sliding on the floor toward him.

At different times, representatives of the distributors have gone to Washington to tell Congressional committees that it is you who want this sort of stories put into pictures and not the "innocent" producers. Did Darryl Zanuck consult with any one of you to find out if you want this play put into pictures for the main release schedule? Of course not! At no time does any producer consult you when he chooses the stories he will produce. And yet the producers have the temerity to tell legislators that an act to outlaw block-booking and blind-selling is unnecessary.

There is no chance that this play will make an acceptable picture to the family trade any more than "Temple Drake," which was founded on the William Faulkner novel "Sanctuary," made. And yet if Zanuck produces it those of you who are Twentieth Century-Fox customers will be compelled to accept it, regardless of your wishes, unless by the time it is produced block-booking is abolished, either in whole or in part.

Can Mr. Zanuck make an entertaining picture out of it by altering it radically? If you can make an addled egg palatable then Mr. Zanuck can make an entertaining picture out of "Tobacco Road."

Will you communicate with the members of the House Committee on Interstate and Foreign Commerce and ask them to point out to you how you can avoid showing this picture if it should be produced by Twentieth-Century Fox?

PICTURES NOW IN PRODUCTION

Columbia

"GHOST GUNS," with Bill Elliot. Double-bill.

"ALIAS THE LONE WOLF," with Warren William. Program.

"PASSAGE WEST," with Constance Bennett, Pat O'Brien, Alan Baxter, John Halliday and others, produced by Sam Bischoff and directed by John Brahm. Constance Bennett is "washed up," so far as pictures are concerned, unless the story is of such weight that she can be brought back. And no synopsis of the story is available for passing judgment on.

Metro-Goldwyn-Mayer

"FLIGHT COMMAND," with Robert Taylor, Walter Pidgeon, Ruth Hussey, Paul Kelly and others. Good to very good.

Twentieth Century-Fox

"HUDSON'S BAY," with Paul Muni, Gene Tierney and others, produced by Kenneth McGowan, and directed by Irving Pichel. No doubt an arctic-country melodrama, the box office success of which will be based on quality, for with poor stories Mr. Muni draws only moderate business.

United Artists

"FLOTSAM," with Margaret Sullavan, Frederic March, Glenn Ford, Eric von Stroheim, Leonid Kinsky, and Tony Noviska, produced by David Loew and Albert Lewin. The story, written by Erich Maria Remarque, author of "All Quiet on the Western Front," is very powerful, and there is no doubt that the picture will turn out as powerful. As to its box-office possibilities, one has to wait to see what it will do in the first run theatres. Since Margaret Sullavan is a box-office actress, if you did well with "The Mortal Storm" you should do well also with "Flotsam."

Universal

"PARADISE VALLEY," with John Mack Brown. Western.

"GIVE US WINGS," with Billy Halop. Program.

Warner-First National

"SOUTH OF SUEZ," with George Raft, Geraldine Fitzgerald and others. Mr. Raft is popular and if the story were a good one the picture should prove a good box-office success. (Mr. Raft is not yet definite.)

BOX OFFICE PERFORMANCES

Columbia

The previous box-office performances of Columbia pictures were published in the June 22 issue:

"Mad Men of Europe": Fair-Poor.

"Passport to Alcatraz": Fair-Poor.

"Girls of the Road": Fair-Poor.

"Out West With the Peppers": Fair-Poor.

"Military Academy": Good-Fair.

Thirty-three pictures have so far been released excluding nine westerns. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 1; Very Good, 1; Good, 2; Good-Fair, 3; Fair, 9; Fair-Poor, 10; Poor, 7.

First National

The previous box-office performances of First National pictures were published in the June 29 issue:

"The Man Who Talked Too Much": Good to Fair.

"All This and Heaven Too": Excellent to Good.

"Ladies Must Live": Fair to Poor.

"They Drive By Night": Excellent to Very Good.

Twenty-four pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 1; Excellent-Good, 2; Very Good, 1; Very Good-Fair, 4; Good-Fair, 5; Fair, 1; Fair-Poor, 10.

Metro-Goldwyn-Mayer

The previous box-office performances of Metro-Goldwyn-Mayer pictures were published in the June 29 issue:

"Phantom Raider": Fair.

"Susan and God": Good to Fair.

"The Mortal Storm": Very Good to Good.

"The Captain is a Lady": Fair to Poor.

"New Moon": Good to Fair.

"Andy Hardy Meets Debutante": Excellent to Very Good.

"Sporting Blood": Good to Fair.

"We Who Are Young": Good to Poor.

"Gold Rush Maisie": Good to Fair.

Forty-five pictures, excluding "The Stars Look Down," have so far been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent, 1; Excellent-Very Good, 2; Excellent-Good, 3; Excellent-Fair, 2; Very Good-Good, 4; Very Good-Fair, 1; Good, 2; Good-Fair, 15; Good-Poor, 2; Fair, 4; Fair-Poor, 8; Poor, 1.

Paramount

The previous box-office performances of Paramount pictures were published in the July 6 issue:

"Safari": Good to Poor.

"The Ghost Breakers": Very Good to Good.

"Queen of the Mob": Fair to Poor.

"The Way of All Flesh": Fair to Poor.

"Stage Coach War": Fair.

"Untamed": Good to Fair.

"Golden Gloves": Fair.

"Mystery Sea Raider": Fair.

Forty-nine pictures have so far been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Very Good, 1; Very Good-Good, 2; Very Good-Fair, 4; Very Good-Poor, 1; Good-Fair, 8; Good-Poor, 6; Fair, 11; Fair-Poor, 13; Poor, 3.

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HERE AND THERE

IN AN EDITORIAL headed "Shoot Square I" appearing in the August 24 issue of his organization's house organ, Harry Brandt, the New York exhibitor, takes the distributors to task for writing long-term franchises with the affiliated circuits, in an effort to thwart the spirit of the consent decree before it is signed.

"The evasion of responsibility," says he partly, "evidences, in most cases, a lack of good faith. . . ."

I wonder whether Harry Brandt knows what "Shoot Square I" means. Last week he showed at his Globe Theatre, on Broadway, this city, the Monogram feature "Boys of the City"; but he showed it under another title, "The Ghost Creeps." I understand that efforts were made to induce him to state in his newspaper advertisements, and in his lobby display, that the picture was released nationally as "Boys of the City," but with no success; Brandt insisted upon showing it as "The Ghost Creeps," without any indication to those who would pay their money to his theatre's box office to see it that they might have seen it in some other theatre under its right title.

By showing it as "The Ghost Creeps," Harry Brandt did not "shoot square" either with the other exhibitors or with the moving picture going public. What would a person feel if, after paying his money to the box office of a theatre to see "Boys of the Streets," he found that he had already seen it somewhere else as "The Ghost Creeps"?

There is no doubt in my mind that Harry Brandt adopted that title for only one purpose—to "cash in" on "The Ghost Breakers," the Paramount picture, which is making a success. If I am right, then Harry Brandt failed to "shoot square" also with Paramount.

Some one ought to send to Harry Brandt a letter explaining to him the real meaning of the phrase, "Shoot Square I"

Incidentally, "Boys of the City" is not a ghost picture that those who have it booked can "pooh-pooh"; it is a good picture—perhaps not as good as "The Ghost Breakers," but good enough to form part of the program of most major companies. You should advertise it as a meritorious production.

* * *

WHEN I SAW "Young People," the Twentieth Century-Fox picture with Shirley Temple, I was not impressed much with the story—it made a picture that will please pretty well those who will see it, but no more; what impressed me greatly was the work of the little actress, Shirley Temple.

If Shirley Temple does not draw today the crowds that she once drew, it is not, in my opinion, her fault, for she has lost not a bit of her spark or of her acting ability, and least of all her charm; it is undoubtedly the fault of those who chose the stories for her. A poor story can do an actress more harm than three good stories can do her good. "The Blue Bird," in which Miss Temple appeared as an ungodly child, certainly did not help her retain her hold on the public. Such was the case with some other of the stories given her before "The Blue Bird."

Recently it was stated in the trade papers that Joe Pasternak was negotiating with Miss Temple's parents for a picture to be released on the Universal program. I don't know how much the negotiations have progressed, or if there is any chance for Mr. Pasternak to obtain her services now that she has started to go to a regular school, but if her school-going will not interfere with occasional work in moving pictures, I hope that Joe will get her, for if there is a producer on the Coast who knows how to handle children, Joe Pasternak is certainly the one; or at least one among the few.

If the Temples should chance to read these lines I hope

that they will be influenced enough to close an agreement with Mr. Pasternak for at least one picture a year. Miss Temple's retirement from the screen has left a void that no other little actress can fill.

* * *

SPYROS SKOURAS, addressing the managers of National Theatres convening in Los Angeles, assured those who might volunteer for military service, or are drafted to it, that their jobs will be waiting for them upon their return, provided they shall have been discharged honorably. In addition, he said that employees of National Theatres must be 100% Americans—no other type of employees will be tolerated. This is real Americanism; it is an expression of gratitude for the opportunities the United States offered to him, an immigrant.

If every one who has come to the United States from other countries feels as Mr. Spyros Skouras feels, there will be no chance for Fifth Columns and the like.

* * *

BREAKING UP THE BLOCKS of pictures into groups of five or fewer, to be sold after tradeshowing, takes away some of the curse from block-booking, and entirely from blind-selling; but if the protests that are now sent in to the Department of Justice on the ground that there is no cancellation provision are heeded and the exhibitors are given the right to cancel one out of each group of five pictures, it will be a blessing for the entire industry, except for those who don't know how to make good pictures.

Whatever the outcome of these protests, let us bear in mind that the industry cannot continue the present selling system; it will mean bankruptcy in the end.

* * *

THAT THE AUTHOR, the screen-play writer, the unit producer, and the director, in addition to the leads and the supporting cast, should be mentioned on the introductory title, it is understandable—they deserve all the credit they can get for making the picture, no matter whether it is entertaining or boring; but why should the hair dressers, the costume makers and the like be given credit? I venture to say—and I am ready to wager on it—that not a single picture-goer remembers who is the designer of the hairstyles, or of the gowns, or of the decorations, of any of the pictures that have been produced since the motion picture came into being.

In almost every picture credit is given, in addition to the author, screen-play writer, director, producer and cast, to the: cameraman, writer of the musical score, chief recorder of sound, art director, associate art director, designer of set decorations, of special effects, of gowns, of men's wardrobe, of hair styles, director of montage effects, and of the film editor. Some of the pictures add even other names.

Why this array of names when no one remembers who they are, or how much they contributed towards the production of the picture?

The showing of these names on the screen requires at least one minute, or ninety feet of film, worth about \$1.50. How much is the cost of preparing the writing, whether printed or written by brush, is another matter, but when you count the number of films released each year the waste must be enormous.

The introductory titles should be reduced, for the purpose, not only of saving money, but also of sparing the public of its attention to matters in which it is least interested. The public wants to know who are the stars and who are in the cast. The director and the author are, of course, of interest to many picture-goers. Even if they were not, they are entitled to a place on that title. But who cares who designed the costumes, or who employed the comb to fix some woman-player's hair, or who prepared the clothes that are worn by the men-players?

"The Howards of Virginia" with Cary Grant and Martha Scott

(Columbia, September 19; time, 114 min.)

Lavishly produced and skillfully performed, this drama offers entertainment of a quality that should appeal particularly to class audiences. Many of the situations throughout appeal deeply. But the story does not sustain the interest thoroughly; on occasion the action lags owing to the fact that there is too much talk; the story progresses through talk instead of through motion. Yet the picture has very good box-office possibilities because, first, of Cary Grant's popularity; secondly, of the fact that the story was adapted from the widely read novel "The Tree of Liberty," and, thirdly, the story revolves around characters and a period of particular interest these days. But a great deal of the picture's success will depend on the exploitation given it by Columbia:—

Surveyor Matt Howard (Cary Grant), son of a frontiersman in Colonial America who had been killed in an Indian raid, is introduced to snobbish Virginia society by Thomas Jefferson (Richard Carlson), a former schoolmate. Fleetwood Peyton (Sir Cedric Hardwick), a wealthy land owner, thinking that Howard was a "gentleman," engages him to do surveying work. Jane (Martha Scott), Fleetwood's young sister, falls in love with Howard at first sight; but when she learns that he came from the backwoods, she is so shocked that she rushes with the news to her brother, who orders Howard not to call again. Eventually Howard is able to break down family resistance and induces Jane to marry him. They move to rough frontier country and, although the ways of Howard's neighbors disgusted her, Jane tries her best and works hard. After a number of years, they have three children, and the beginning of a fine home and plantation. Their one sorrow is the fact that their eldest son was a cripple; Howard, resenting it, shows no affection for the afflicted boy. Unrest stirs the colonies; the people are enraged at the excessive taxes. Jefferson urges Howard to run for the Virginia House of Burgesses; he is elected and moves his family to Williamsburg. Fleetwood is annoyed; he wanted the old order to remain, even though Howard and the colonists demanded release from tyranny. British troops land in Boston to collect taxes, and the Revolution starts. Howard, despite his wife's objections, joins the Army; they part in anger. Taking along her three children, she goes to live with Fleetwood. Years of privation and hardships do not change Howard's ideals. He is overjoyed when his sons, now 18 and 16 respectively, seek him out so as to join him in the fight. He overhears a conversation between his two sons, in which his elder son, the cripple, proves that he had a far nobler character than the younger son. Howard is deeply ashamed of himself, and begs forgiveness of his son, for whom he had suddenly felt a strong love. Victory is eventually won by the Colonists. Howard returns home, and to his joy finds that Jane's views had changed. The family is reunited, with one desire—to go back to their plantation and start life anew.

The novel was written by Elizabeth Page; Sidney Buchman wrote the screen play, and Frank Lloyd directed and produced it. In the cast are Paul Kelly, Irving Bacon, Elizabeth Risdon, Ann Revere, Richard Alden, and others.

Class A.

"Stranger on the Third Floor" with Peter Lorre, John McGuire and Margaret Tallichet

(RKO, August 16; time, 63 min.)

This melodrama is strictly limited in its appeal: as far as the masses are concerned, the story is too harrowing—at its conclusion, one feels as if one had gone through a nightmare. Occasionally the action becomes a bit muddled; furthermore, it slows up to a point where the spectator becomes restless. One is in sympathy with the hero and the heroine, but that is not enough to hold one's interest throughout. The closing scenes, in which the heroine traps the lunatic-murderer, are a bit terrifying. The romance is pleasant:—

Through the testimony of John McGuire, a newspaper reporter, Elisha Cook, Jr., is convicted of a murder. McGuire's sweetheart (Margaret Tallichet) is uneasy about the verdict, for she reasoned that Cook might be innocent. McGuire goes back to his boarding house. He notices a strange looking man (Peter Lorre) lurking in the hallway; when he tries to talk to him, Lorre runs away. McGuire becomes uneasy; he felt certain that his next-door neighbor (Charles Halton) had been murdered by the mysterious looking stranger. This terrifies him, for he realized that, by circumstantial evidence, he himself could be accused of the crime; he had, on many occasions, quarreled with Halton, whom he despised, and had threatened to kill him in the

presence of others. Terrified, he decides to run away. But Miss Tallichet pleads with him to go to the police. When McGuire tells them the story, they take it lightly and arrest him as a material witness. Miss Tallichet decides to scour the neighborhood in an effort to find the murderer. She finally succeeds but finds, to her horror, that he was insane; he admits the murders to her, and then tries to kill her. She runs across the street; Lorre goes after her, but is knocked down by a truck. Before he dies he confesses. Cook and McGuire are freed.

Frank Partos wrote the story and screen play; Boris Ingster directed it, and Lee Marcus produced it. In the cast are Charles Waldron, Ethel Griffies, Cliff Clark, and others.

Not for children. Class B.

"Charlie Chan at the Wax Museum" with Sidney Toler

(20th Century-Fox, October 4; time, 63 min.)

A fairly good murder mystery melodrama. The background, that of a wax museum, is a good setting for a picture of this type, for it adds to the eeriness of the proceedings. As is usual in the "Chan" series, the comedy is provoked by the efforts of the detective's son to prove to his father his ability as an assistant detective. Since the murderer's identity is not divulged until the end, the spectator's interest is held. There is no romance:—

Sidney Toler (Charlie Chan) accepts an invitation to speak on a radio program to be broadcast from a wax museum; he and a scientist were to discuss a certain case on which they had disagreed. Toler had purposely accepted the invitation because he felt that the man who ran the museum, a surgeon, had some connection with the underworld, and that he had performed plastic surgery on various criminals so as to hide their identity; he did not know that the whole thing had been arranged by an escaped criminal hiding in the museum, who planned to kill him. The scientist, instead, is killed in a strange manner, and even the criminal who had planned to kill Toler is found murdered. Toler, disregarding the danger to himself, continues with the investigation, finally trapping the murderer, who was none other than the radio announcer, a former criminal.

John Larkin wrote the original screen play, Lynn Shores directed it, and Walter Morosco and Ralph Dietrich produced it. In the cast are Sen Yung, C. Henry Gordon, Marc Lawrence, Joan Valerie, and others.

Unsuitable for children because of the murders. Class B.

"Men Against the Sky" with Richard Dix, Kent Taylor, Edmund Lowe and Wendy Barrie

(RKO, September 6; running time, 75 min.)

A good melodrama, with human appeal and with many thrills. The thrills are caused by dangerous flying while new planes are tested. The human interest is awakened by the devotion of the hero's sister to the hero. There is also a romance:—

Richard Dix, once the country's outstanding flyer, is down and out because of drink. His sister (Wendy Barrie), however, does not lose faith in him. Being an excellent draftsman, she obtains a position at Edmund Lowe's plane manufacturing plant, and by warming up to the chief designer and to the boss she tries to get Dix a position. The plant was competing for the building of a fast fighter for the U. S. Government, but the chief designer (Kent Taylor) is stuck for want of new ideas. This gives a chance to Wendy to present her brother's ideas. Kent is impressed with them and adopts them. A plane is built and is tested. During the tests the test pilot descends and refuses to put it to the severe tests required because he had noticed that the wings had been bending dangerously. Dix is in the field, and takes the plane up, without the right to do so. One of the wings cracks and the plane is wrecked, but Dix escapes. Eventually, however, Wendy convinces Kent that her brother's ideas were sound. By this time Kent is deeply in love with Wendy, and she with him. Kent has a conference with Dix and is told why the other plane had failed. Kent designs another plane, reinforcing the wings. At the tests, the plane performs marvelously, but when the test pilot decides to land he finds that the landing gear had become frozen. Dix induces Martin to let him try to release the undercarriage. Dix is taken up in another plane and taking hold of one of the wheels, tries to disentangle it, until finally he suspends himself on the wheel entirely. The undercarriage becomes released, but when he lets go his parachute is ripped and he falls to the ground hard; he dies in his sister's arms.

The story is by John Twist, the direction by Leslie Goodwins. Howard Benedict produced it.

Class A.

"Kit Carson" with Jon Hall, Lynn Bari and Dana Andrews

(United Artists, August 30; time, 97 min.)

The western fans and youngsters should get a thrill out of this picture, for it has the ingredients that appeal to them—thrilling horseback riding, exciting fights between Indians and settlers, and heroic efforts on the part of the hero to help others. But for all this, it is just a glorified western, mainly because of its length, a more lavish production, and the fact that the story is based on a historical character. Theatres that cater to audiences who like this sort of entertainment should do well, for if it is action their patrons crave this picture gives them plenty of it, even though some of it is far-fetched. There is a romance, too. The tremendous exploitation United Artists is giving it may help it greatly:—

Kit Carson (Jon Hall), in company with his two pals Ape (Ward Bond) and Lopez (Harold Huber), undertakes to escort a group of settlers, who were travelling to California by covered wagon. They are accompanied also by a contingent of the U. S. Cavalry, headed by Capt. John C. Fremont (Dana Andrews). Because of his knowledge of the ways of the Shoshone Indian tribes, Carson is able to guide the settlers and the soldiers through difficult situations. But the soldiers and the settlers part company because of the Captain's refusal to abide by Carson's orders to travel a certain way. The Captain and his men are soon set upon by the Indians and find themselves trapped, just as Carson had warned they would be. Carson and his people are attacked at the same time. Feeling that if he could get the soldiers out of the trap they could combine their strength and beat off the Indians, Carson risks his life to dynamite a passage for them. He succeeds. They then fight together and chase off the Indians. Carson learns that the Indians were being supplied with guns and ammunition by General Castro, Spanish Army head residing in California; dreaming of becoming an Emperor, he did not want Americans to enter California. In the meantime, Carson and Dolores Murphy (Lynn Bari), a wealthy California girl on her way to her father's hacienda, fall in love with each other; things are complicated when Captain Fremont, too, declares his love for her. After many serious clashes with the Indians the settlers arrive in California. But their troubles start all over again when General Castro starts warfare anew. Eventually he is beaten. Carson enters the Army as a scout and marries Dolores.

George Bruce wrote the story and screen play; George B. Seitz directed it, and Edward Small produced it. In the cast are Renie Riano, Clayton Moore, Rowena Cook, Raymond Hatton, and others.

Suitability, Class A.

"Wildcat Bus" with Fay Wray and Charles Lang

(RKO, August 23; time, 63 min.)

Just a minor program melodrama. The formula plot is developed in so hackneyed a style, that one knows in advance just what is going to be said and done. Moreover, the production values are modest, and the cast lacks names of box-office appeal. Even the performances are stilted, but the fault lies with the material and not with the players:—

Fay Wray, whose father (Oscar O'Shea) ran a bus line, feels certain that the accidents that had been happening to their buses and drivers were planned. Her suspicions are confirmed when a certain lawyer, who represented most of the persons who had brought accident cases against their firm, suggests that they sell their franchise. Charles Lang, a young ne'er-do-well, in company with his former chauffeur (Paul Guilfoyle), applies for a job at Miss Wray's company. Annoyed at Miss Wray's attitude, he leaves in a huff. Guilfoyle takes a position as a driver. Lang contacts Don Costello, front for a wildcat bus outfit, and is engaged by him as a driver. He refuses to take Miss Wray's advice, and continues on the job. Eventually he finds out the truth about the organization he worked for, but not until Guilfoyle had met with an accident planned by the wildcat outfit. O'Shea discovers that the outfit was headed by a woman (Leona Roberts), whose husband had been sent to prison on a robbery charge by O'Shea's firm; she wanted to ruin O'Shea. The employees of Lang and O'Shea beat up the gang and turn them over to the police. Lang and Miss Wray are united.

Lou Lusty wrote the story and the screen play; Frank Woodruff directed it, and Cliff Reid produced it. In the cast are Paul McGrath, Joseph Sawyer, Roland Drew, and others.

Unsuitable for children. Class B.

"The River's End" with Dennis Morgan, Elizabeth Earl, George Tobias and Victor Jory

(Warner Bros., August 10; time, 69 min.)

A surprisingly good melodrama revolving around the Canadian Mounted Police. The action keeps going at a fast pace, and the spectator is held in pretty tense, suspense, because the life of the hero is in danger. Dennis Morgan does well in the hero's part, but by far the best work is done by George Tobias; he takes the part of a French Canadian, friend of the hero, and his comedy work goes over very well, not only because of his good acting, but also because his part is sympathetic. There is a romance, too. The same story, with some variations, was produced by First National, once in 1920, Marshall Neilan directing, and once in 1930:—

The hero, framed by the villain for murder, is convicted, but he escapes, and a Canadian Mounted Policeman, a Sergeant, is sent after him. The Sergeant overtakes him but is frostbitten, and the hero cares for him. The Sergeant is amazed at their resemblance to each other. In time the Sergeant comes to feel that the hero could not have committed the murder and, feeling that the end was near, begs the hero to assume his identity and to return to obtain evidence with which he could expose the real murderer. Just then two mounties arrive and the dying man makes them believe that he was the murderer. The hero returns, is accepted as the Sergeant and proceeds to obtain clues that would expose the man he was suspecting. He finds himself with a sister (Elizabeth Earl). Before accomplishing his mission, he is exposed, but the commander is convinced by the hero that he was not the murderer, and that, if he were given a little time, he would produce evidence that Victor Jory was the murderer. He succeeds. He then marries his supposed sister, with whom he had fallen in love.

The plot has been taken from the James Oliver Curwood novel. Barry Trivers and Bertram Millhauser wrote the screen play, and Ray Enright directed it.

Because of the criminal acts of the villain and his men, it is Class B.

"The Golden Fleecing" with Lew Ayres, Rita Johnson and Lloyd Nolan

(MGM, August 16; time, 67 min.)

An entertaining program comedy. The story itself is not unusual, but it holds one's attention well and keeps one amused, first, because of the fine performances and, secondly, because of the laughter that is provoked by the hero's meekness and timidity. Moreover, the action is fast-moving and at times exciting, even though it is at times far-fetched. The romance is charming:—

Lew Ayres, an insurance salesman, is overjoyed when he signs up Lloyd Nolan for a \$50,000 policy. This meant he would receive an increase in salary; thus he would be enabled to marry Rita Johnson, secretary to the insurance head. But his joy turns to sorrow when he learns that Nolan was a gangster, wanted by the police, and that there was a reward of \$25,000 offered for his capture, dead or alive. The insurance head warns Ayres to find Nolan and watch over him to see that no harm would come to him; otherwise Ayres would be without a position. In the meantime, Nolan hides out in a small-town jail that had been turned over to him by a crooked Judge over whom he had power. Nolan needed \$25,000 for bail money; he decides to get it by having Ayres turn him in, Ayres thereby collecting \$25,000, which he would turn over to Nolan. Ayres, knowing that Miss Johnson would ask him what had happened to the money, tells Nolan that he was willing to give him the money but Nolan would have to help him out of his predicament. Nolan gives Ayres some worthless stock in an aeroplane company, for which he had paid \$100,000. The henchman to whom Ayres delivers the \$25,000 runs away with the money. And as things develop, the stock suddenly takes a spurt and becomes worth over \$175,000. Ayres is called a genius by every one, including the head of his company. But Nolan is after him again, for he wanted the money. Miss Johnson, who had found out about everything, brings a breach of promise suit against Ayres so as to tie up the money. Nolan's men try to force Miss Johnson to give up the suit, but she refuses, until Ayres pleads with her to do so. She finally succumbs, but holds out \$25,000; she considered that Ayres was entitled to it. Nolan collapses when his careless henchman throws a lighted match on the table, causing the \$150,000 to go up in flames.

Lynn Roof, Frank Fenton and John Fante wrote the story, and S. J. and Laura Perelman and Marion Parsonnet the screen play; Leslie Fenton directed it, and Edgar Selwyn produced it. In the cast are Virginia Grey, Nat Pendleton, Leon Errol and others.

Suitability, Class A.

PICTURES NOW IN PRODUCTION

(Box-office Appraisals)

Metro-Goldwyn-Mayer

"HULLABALOO," with Frank Morgan, Billie Burke, Sara Haden and others, directed by Edwin L. Marin. Fairly good to good.

"COMRADE X," with Clark Gable and Hedy Lamarr, directed by King Vidor. Very good or even excellent for the box office.

Paramount

"I WANTED WINGS," with Brian Donlevy, Ray Milland, William Holden, Wayne Morris, Constance Moore and Veronica Lake, produced by Arthur Hornblow and directed by J. Theodore Reed. A drama with an air field as the background, and with flyers as the characters. There is plentiful action all the way through, but the characters are not so likeable. Perhaps Paramount has altered the characterization. Box-office possibilities good to very good.

Republic

"HIT PARADE OF 1941," with Kenny Baker, Frances Langford, Hugh Herbert, Mary Boland, Ann Miller, Patsy Kelly, Phil Silvers, Sterling Holloway, Barnett Parker, Borah Mninevitch and his Harmonica "Rascals," Six Hits and a Miss, and Jan Garber and his Band, produced by Sol Siegel and directed by John H. Auer. Although no individual player is strong enough to put such a picture over, the combination makes a formidable box-office asset, for each of these players is an artist in his own field. Kenny Baker will be remembered by exhibitors from Universal's "Mikado," Frances Langford is known well because of her radio work, Hugh Herbert adds to whatever picture he appears in with comedy that is peculiar to himself, Mary Boland does well with whatever comedy part she is given, Ann Miller is a good dancer, Patsy Kelly a good comedian, Phil Silvers a good stage comedian, Sterling Holloway a good screen comedian, Borah Mninevitch is a fine harmonica player (and so are his "Rascals"), and Jan Garber, the leader of a good orchestra. Properly exploited, the picture should go over very well, even excellently. It seems to be the most ambitious production that Republic has undertaken to this day.

RKO (Radio) Pictures

"THE FARGO KID," with Tim Holt. Western.

"LIL' ABNER," with Granville Owen, Buster Keaton and others. The story has no doubt been based on the well known comic strip.

"KITTY FOYLE," with Ginger Rogers, Dennis Morgan, Gladys Cooper, Ernest Cossart, directed by Sam Wood. It is a powerful story, with much human appeal, and since the story has been founded on the Christopher Morley best seller and a popular star appears in it, the picture should, not only please highly, but also draw big crowds.

Twentieth Century-Fox

"CHAD HANNA" (Technicolor), with Henry Fonda, Linda Darnell, Guy Kibbee, John Carradine, Eddie Collins and others, produced by Nunnally Johnson and directed by Henry King. Perhaps good.

"TIN PAN ALLEY," with Alice Faye, Betty Grable, Jack Oakie, John Payne, Allen Jenkins and others, produced by Kenneth Macgowan, and directed by Walter Lang. From good to very good.

Universal

"FLYING NEWS," with Richard Arlen and Andy Devine. Good program.

"CARRIBEAN NIGHTS," with Allan Jones, Virginia Bruce, Abbot and Costello, Robert Cummings and Leo Carrillo, directed by A. Edward Sutherland. Good to very good musical and comedy.

Warner-First National

"FATHER KNOWS BEST," with Grant Mitchell, Nana Bryant, Jan Clayton, Lee Patrick and others. For a double-bill.

"THE LADY WITH RED HAIR," with Miriam Hopkins, Claude Rains, Laura Hope Crews and Helen Westley, produced by Edmund Grainger and directed by Kurt Bernhardt. The story is the life of Mrs. Leslie Carter. It is a powerful document and Warner Bros. should make a good picture with it.

BOX-OFFICE PERFORMANCES

RKO

The previous box-office performances of RKO pictures were published in the July 6 issue:

"Prairie Law": Fair.
"Pop Always Pays": Fair.
"Anne of Windy Poplars": Fair to Poor.
"Doctor Christian Meets the Women": Fair.
"Cross Country Romance": Fair.
"Tom Brown's School Days": Good to Poor.
"Millionaires in Prison": Fair to Poor.
"Stage to Chino": Fair-Poor.

Forty-three pictures have so far been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Good, 2; Excellent-Fair, 1; Very Good-Good, 2; Very Good-Fair, 2; Good-Fair, 3; Good-Poor, 5; Fair, 8; Fair-Poor, 17; Poor, 3.

Twentieth Century-Fox

The previous box-office performances of Twentieth Century-Fox pictures were published in the July 13 issue:

"Girl in 313": Poor.
"Earthbound": Fair-Poor.
"Four Sons": Good-Fair.
"Charlie Chan's Murder Cruise": Fair.
"Lucky Cisco Kid": Good-Fair.
"Sailor's Lady": Fair.
"Manhattan Heartbeat": Fair-Poor.
"Maryland": Good-Fair.

Fifty-two pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 2; Excellent-Good, 2; Very Good, 1; Very Good-Good, 2; Very Good-Fair, 2; Good, 1; Good-Fair, 6; Good-Poor, 2; Fair, 9; Fair-Poor, 21; Poor, 4.

1940-41

"The Man I Married": Good-Poor.

United Artists

The previous box-office performances of United Artists pictures were published in the July 13 issue:

"Our Town": Good-Poor.

Twenty-one pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Good, 1; Excellent-Fair, 1; Very Good-Good, 3; Very Good-Fair, 1; Good-Fair, 3; Good-Poor, 2; Fair, 5; Fair-Poor, 5.

1940-41

"South of Pago Pago": Very Good-Good.

Universal

The previous box-office performances of Universal pictures were published in the July 13 issue:

"Bad Man from Red Butte": Fair.
"Love, Honor and Oh Baby": Fair-Poor.
"Sandy Is a Lady": Fair-Poor.
"I Can't Give You Anything But Love": Fair-Poor.
"Private Affairs": Good-Fair.
"Hot Steel": Fair.
"Black Diamonds": Fair.
"Son of Roaring Dan": Fair.
"You're Not So Tough": Fair.
"When the Daltons Rode": Very Good-Fair.
"South to Karangae": Good-Fair.
"Boys from Syracuse": Good.

Fifty-seven pictures have been released. Grouping the pictures of the different ratings from the season's start, we get the following results:

Excellent-Very Good, 1; Very Good-Good, 1; Very Good-Fair, 1; Good, 1; Good-Fair, 9; Good-Poor, 3; Fair, 10; Fair-Poor, 29; Poor, 2.

Warner Bros.

The previous box-office performances of Warner pictures were published in the July 20 issue:

"Brother Orchid": Very Good-Fair.
"Gambling on the High Seas": Fair-Poor.
"My Love Came Back": Good-Poor.

Twenty pictures have so far been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Very Good-Good, 1; Very Good-Fair, 3; Good-Fair, 4; Good-Poor, 2; Fair, 1; Fair-Poor, 9.

HARRISON'S REPORTS

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HERE AND THERE

IN LAST WEEK'S ISSUE I criticized Harry Brandt, the New York exhibitor, and president of ITO, for having shown in his Globe Theatre, on Broadway, the Monogram picture "Boys of the City" under the title "The Ghost Creeps," on the ground that it was unfair to the picture-going public, to the other exhibitors, and to Monogram, for some people who had seen the picture under the title "Boys of the City," might have gone in to see it, not knowing that it was the same picture.

I have since learned that Harry Brandt himself had no part whatever either in the signing of the contract for the picture, or in the showing of it as "The Ghost Creeps"; it was Lou Brandt, his brother, who had made the contract. Harry was absent from the city at that time.

The original information I obtained from Harry Thomas, general manager of the New York, Philadelphia and Washington branches of Monogram. He told me that he was much disturbed because he had been unable to persuade "Brandt" to include into his newspaper advertisements that "The Ghost Creeps" was released nationally as "Boys of the City." Consequently, he said, he was compelled to insert an advertisement in two New York papers himself, to make the fact known to the public. At no time did he give me an inkling that the contract between Monogram and the Globe gave the title "The Ghost Creeps," instead of "Boys of the City."

Because of Thomas' failure to acquaint me with this fact, I have done Harry Brandt an injustice, for which I offer him my apologies.

The culpability now rests with Harry Thomas, whom I compelled to face Brandt when he tried to wriggle out of the blame. Instead of being upset at the fact that the management of the Globe Theatre refused to state in the newspaper advertisements as well as in the Globe's lobby display that the picture was released nationally as "Boys of the City," he should have refused to approve the contract until the picture's right title was inserted into it.

As to my intimation that Harry Brandt adopted the title "The Ghost Creeps" out of a desire to profit by the title's similarity to the Paramount picture "The Ghost Breakers," he personally, of course, had nothing to do with the selection of the title, having been out of town at that time, although he has since then been frank enough to admit that the similarity of titles might confuse some picture-goers. The blame rests with the distributor, who had consented to the change of title locally, and to the use of the changed title in the contract.

* * *

A BRIGHT RED ADVERTISEMENT in the

trade papers, inserted by Twentieth Century-Fox, says:

"Brigham Young" in its extended run at the Center Theatre, Salt Lake City, (following the phenomenal 7-theatre premier) is shattering every box-office precedent and record! With prices increased 25% and evening prices up 33½%, Saturday and Sunday grosses were 175% of "Alexander's Ragtime Band" great weekend record and Monday's business doubled "Alexander's."

Twentieth Century-Fox should not brag about such a record; with a picture that concerns Mormons, shown in Salt Lake City, the great Mormon center, taking in 175% more money than was taken in by "Alexander's Ragtime Band" is not a record to brag about.

The proof "of the pudding" will be furnished when the picture plays in the theatres of other big cities.

HARRISON'S REPORTS would, of course, be glad if the picture should show similar results everywhere—the industry needs money-making pictures to weather the present storm; what this paper merely tries to do is to caution you against taking the record established by this picture in Salt Lake City as a general record.

* * *

DON'T GET OVEREXCITED just now about television in natural colors, for it is still in an experimental stage. Besides, it has nothing to do with television for the theatre; it concerns entirely television for the home.

The subject televised recently in a laboratory by a broadcasting company for the benefit of the press was taken from a natural color film. And a film could be shown on a moving-picture screen much more advantageously than it could be on a television screen.

Color television may come some day—a very remote day. At present no exhibitor need spend any sleepless nights. Of this, I have had the assurance of one of the world's foremost experts on television, as well as other sciences.

* * *

A STATEMENT ISSUED BY Columbia Pictures Corporation states that, for the fifty-two weeks ending June 29, its net earnings were \$512,185.72. This amount, after deducting dividends on outstanding preferred stock, pays the common stock (366,268 shares) about 83c per share, or less than one per cent.

The net earnings for the same number of weeks up to July 1, 1939, were \$2,046. In other words, that year Columbia did not earn anything to enable it

(Continued on last page)

**"Brigham Young" with Tyrone Power,
Linda Darnell and Dean Jagger**

(20th Century-Fox, September 27; time, 113 min.)

This drama of the trials and tribulations of the early Mormon settlers has been produced as a "big" picture; and, from a technical standpoint, it is very good. There are scenes of the migrating Mormons, struggling through mud, across water, and over mountains, which thrill one. And it has its moments, particularly those showing the brutal and intolerant actions on the part of those who hated the Mormons, that touch one's emotions. Yet the picture as a whole fails to make a deep impression; as a matter of fact, it even becomes a bit wearisome, owing to the constant suffering and hardships endured by the Mormons. The fact that Mormon men had many wives has been handled discreetly. Tyrone Power is wasted in a secondary, completely colorless, part; it seems as if he was put in the picture only because of his box-office value, for Dean Jagger, although a good actor, means very little at the box-office:—

Tyrone Power's parents are Mormons. They are visited one night by Linda Darnell and her father, who, although not Mormons, are friendly. The visit is broken up by raiders, who, intolerant of the Mormon beliefs, had been trying to wipe out the Mormon followers. They shoot and kill Miss Darnell's father and beat Power's father to death. Later they arrest, and try for treason, Vincent Price (Smith), the Mormon leader. Despite an impassioned plea made by Dean Jagger (Brigham Young), a recent convert to Mormonism, on behalf of Price, the prejudiced jury find him guilty. He is taken to the jail; that night, a band of raiders break down the jail and kill him. Jagger becomes the new leader. His favorite wife (Mary Astor) is always at his side, ready with help and advice. Jagger orders his people to get ready within an hour to move on. Brian Donlevy, a Mormon incinerator, tries to induce them to remain and make concessions to their enemies, hoping in that way to save his own property; but they refuse to listen. They endure hardship and starvation; Donlevy tries to influence them to travel to California where they would find gold. But Jagger chooses a spot in Utah, where they could work together in peace and quiet. Many die of starvation and sickness. But the spring approaches, with good crops nearing harvest. A plague of crickets descends on the fields; just when things look the darkest and Jagger is ready to give up, there suddenly appear in the sky millions of sea gulls who devour the crickets. The crops are saved. Power and Miss Darnell, who had travelled with the family, plan to marry. And the Mormons eventually build a fine community.

Louis Bromfield wrote the story, and Lamar Trott, the screen play; Henry Hathaway directed it, and Kenneth Macgowan was associate producer. In the cast are Jane Darwell, John Carradine, Jean Rogers, Ann Todd, and others.

Class A.

**"Dreaming Out Loud" with Chester Lauck
(Lum), Norris Goff (Abner), Frances
Langford, Frank Craven and
Bobs Watson**

(RKO, September 13; running time, 81 min.)

Whatever results an exhibitor will get out of this picture will be owed to the names of the two radio personalities, Lum and Abner, for as far as the picture is concerned it is mediocre. The story is not bad—it is rather good; it has situations with deep human interest. The situation that shows Frank Craven, impersonating a country doctor who had had a stroke of paralysis, directing Lum and Abner in the constructing of an improvised oxygen tent from whatever parts could be found around a merchant store so as to save the life of little Bobs Watson, down with pneumonia, moves one deeply. There are other situations that either move or interest. Unfortunately the picture has been given a cheap production. The photography is so dark that it makes one feel gloomy. And the sound is poor. There is a fairly interesting romance:—

In a sleepy Arkansas town, Lum and Abner are the most charitable members of the community. Frank Craven, a physician, had his offices and lived over their store. Lum and Abner plead with Clara Blandick, a wealthy townswoman, for a hospital, but in vain. Her chauffeur runs down little Sheila Sheldon and kills her and then runs away from the scene of the accident. Bobs Watson, however, sees the accident and recognizes Clara's car. Dr. Frank has a stroke of paralysis. Bobs contracts pneumonia and his life is in danger, but Dr. Frank, his senses still sound, by em-

ploying the services of Lum and Abner, improvises an oxygen tent and saves the boy's life. His son, a doctor (Robert Wilcox), in love with Frances Langford, postmistress, arrives and takes charge of the boy. Clara, who loved the boy, but who had been sour on the world because Craven had not married her, is touched by the boy's danger and contributes liberally towards equipping a motor hospital, in charge of Wilcox. The murderer is apprehended. Wilcox and Frances decide to marry.

The screen play was written by Howard J. Green, Barry Trivers and Robert Andrews. Harold Young directed it.

Suitability, Class A.

"Argentine Nights" with the Ritz Brothers

(Universal, September 6; time, 73 min.)

The appeal of this picture, a comedy with music, will be directed mainly to the followers of the Ritz Brothers and to swing-music addicts, particularly those who have listened to the recordings and radio music of the Andrews Sisters. There is no story to speak of. A few situations here and there are amusing enough to provoke laughter, but for the most part the action is so silly that it becomes tiresome. One of the annoying things is the noise, which is sometimes used as a substitute for comedy. If your patrons do not like swing music, they may be bored. What there is of a romance is too slight to be of consequence:—

The Ritz Brothers, hounded by their creditors, leave for Argentina with an all girl band they were managing, so as to fill a contract to play at a hotel. Aboard ship is wealthy George Reeves; he falls for Constance Moore, leader of the band. She, too, is attracted to him. But when they arrive in Argentina they are accidentally separated. The Ritz Brothers and the girls finally get to the hotel, only to find it a small place without any customers. The proprietor, a kindly old man, reveals to them how he had been duped of all his money. He boasts to them of his strength and tells them not to worry about bandits; he pretends there were bandits about, for whom rewards had been offered. Miss Moore, hearing a group of men singing nearby, and thinking they were the bandits, goes after them with the other girls, in order to obtain the reward money and help the hotel keeper. To her surprise, she finds Reeves heading the group. He lets her think he is a bandit. He brings to the hotel, food and servants, and many customers for the opening night. The show is a success; at its conclusion Miss Moore learns who Reeves really was.

Arthur T. Horman, Sid Kuller and Ray Golden wrote the screen play, Al Rogell directed it, and Ken Goldsmith produced it. In the cast are Peggy Moran, Anne Nagel, Kathryn Adams, Julie Duncan, and others.

Suitability, Class A.

"Triple Justice" with George O'Brien

(RKO, September 27; time, 66 min.)

A pretty good program western. It is certain to satisfy the George O'Brien fans, for he plays the typical part of the courageous hero who overpowers the villain and his henchmen. In addition to the usual fast riding and thrilling fights, there is offered some music, which is interpolated without retarding the action. The spectator is held in fair suspense, owing to the constant danger to the hero's life. There is a formula romance:—

While on his way to act as best man at the wedding of a pal, George O'Brien meets three men, who direct him to the town. He stops off at the bank to cash a check. While he is there, the three men enter, rob the bank and kill the cashier; they shoot at and wound also the Sheriff, who was O'Brien's pal. O'Brien goes after them. When the Sheriff's assistant (who was one of the gang) and his men overtake O'Brien, they arrest him, accusing him of being a member of the gang. Since O'Brien's Sheriff-pal was still unconscious and could not identify him, he has to stay in jail. But he manages to escape, so as to go after the men. He meets Virginia Vale, whose brother, unknown to her, was one of the gang and receives help from her. Eventually O'Brien tracks down the criminals, forcing each one to return his share of the loot. He then goes after the leader. The Sheriff, having recovered, helps O'Brien. The wedding finally takes place; but O'Brien, instead of acting as best man, is a bridegroom himself, for he had decided to marry Miss Vale and make it a double wedding.

Arnold Belgard and Jack Roberts wrote the story, and Arthur V. Jones and Morton Grant, the screen play; David Howard directed it, and Bert Gilroy produced it. In the cast are Peggy Shannon, Harry Woods, Paul Fix, and others.

Because of the robbery and murder, not for children. Suitability, Class B.

"The Leatherpushers" with Richard Arlen and Andy Devine

(Universal, September 13; time, 63 min.)

A fair program picture. The story is far-fetched, and, aside from the main bout in the end, it lacks excitement. Yet it may go over with the rank-and-file for, in addition to the prizefighting, it has some good comedy situations and a romance; and the players combined have fairly good box-office appeal:—

Douglas Fowley, a small-time promoter-manager, signs Richard Arlen to a contract as a prizefighter, promising Arlen a quick buildup to the championship. Fowley puts Arlen through fights that he had framed in advance for Arlen to win; but Arlen is unaware of this. When Arlen demands his share of the winnings, Fowley, unknown to the fighter, raffles him off at his next bout. He arranges things so that Arlen is won by Astrid Allwyn, a sports writer, who had been hammering away in her column about Fowley's crookedness. At first Arlen is furious. But when Miss Allwyn tells him how happy she was that she had won him because of what it would mean to the future of the camp she was building for down-and-out fighters, he promises to help. Charles D. Brown, a sports promoter, who had shared the raffles money with Fowley, frames the next fight in which Arlen appears; Arlen is suspended by the boxing commission. Andy Devine, Arlen's pal, forces Brown to reveal the hideout of Fowley and the crooked fighter. He goes after them, but is stabbed in the battle that follows. Arlen's name is cleared and he is signed for an important fight. But on the day of the fight, Devine suffers a relapse and Arlen gives his blood for a transfusion. He is weak but insists on going ahead with the bout. Spurred on by a message given to him by Devine over a loud-speaker hookup, Arlen wins. Everyone is happy, particularly Miss Allwyn, who had fallen in love with Arlen.

Larry Rhine and Ben Chapman wrote the story, and they and Maxwell Shane, the screen play; John Rawlins directed it, and Ben Pivar produced it. In the cast are Horace MacMahon, Eddie Gribbon, Shemp Howard, and others.

Suitability, Class A.

"Public Deb No. 1" with George Murphy, Brenda Joyce and Ralph Bellamy

(20th Century-Fox, September 13; time, 80 min.)

A few comical situations and a lavish production are the main selling points of this picture. Despite its lavishness, however, it fails to rise above program entertainment, for the story, which mixes romance with communism, is improbable, and the leading players are not strong box-office attractions. The performers try to be convincing, but they are unsuccessful, not because of lack of talent, but because of the inadequate material. The fact that Elsa Maxwell appears in the picture and supervises a lavish costume ball will hardly mean anything, except to audiences in large metropolitan centers:—

Brenda Joyce, the richest girl in the world, by listening to her scheming butler (Mischa Auer), becomes converted to communism. She is arrested during a riot between communists and American Legion members and is taken before a Judge, who dismisses her case when he hears her name. But the damage is done—her company, which sold soup, is boycotted by the housewives of America; Miss Joyce refuses to permit this to change her theories. George Murphy, a waiter, who had dared spank Miss Joyce in a public restaurant when she had tried to convert him to communism, becomes famous over night. Miss Joyce decides to use him to bolster up her business so as to sell it and turn over the funds to the communist party. She pretends to have changed her ideas and installs him as vice-president of her firm; he makes a success of the job. They fall in love with each other; but each time Miss Joyce is ready to admit her love, Murphy does something to antagonize her, until, in order to hurt him, she blurts out her schemes to him. On the night that she had planned to sell her business, Murphy kidnaps her; but she manages to escape. She is just on the verge of signing the agreement when she hears that Russia had invaded Finland; furthermore, that Auer was a crook who had been using her contributions for his own benefit. Completely cured, she throws herself into Murphy's arms.

Karl Tunberg and Don Ettlinger wrote the story, and Karl Tunberg and Darrell Ware, the screen play; Gregory Ratoff directed it, and Gene Markey produced it. In the cast are Charlie Ruggles, Maxie Rosenbloom, Franklin Pangborn, Berton Churchill, and others.

Suitability, Class A.

"Girl from Havana" with Dennis O'Keefe, Victor Jory and Claire Carleton

(Republic, September 11; time, 67 min.)

This comedy-melodrama is based on a formula plot; it is developed in so obvious a fashion that one loses patience by the time it is half-finished. Its appeal should be directed mostly to a rough type of audience, which enjoys action, regardless of story values, for there are several fist fights. There is nothing that the characters do to awaken any sympathy; even the hero is unpleasant, for he is unruly, quarrelsome, and without ethics. The interpolation of two songs fails to help matters much:—

Dennis O'Keefe and his two pals (Victor Jory and Gordon Jones) are stationed somewhere in South America to supervise the drilling of an oil well. The three men constantly quarreled over girls. Jory, having brought in the first gusher, wins \$2,500, and sets out with his pals to celebrate at a cafe. All three men take notice of Claire Carleton, the entertainer. Since Jory had the money, she shows a preference for him, but later switches to O'Keefe. She gives O'Keefe loaded dice to shoot against Jory, without letting him know that they were loaded. But Jory finds it out, and the fight starts, with both men finally landing in jail. Knowing that Miss Carleton had taken the money, O'Keefe insists that Jones help him get out of prison so as to make an effort to get the money back. Jones helps him, and together they go to the cafe. There they learn that Miss Carleton had been saving the money for them. Trevor Bardette, a customer, picks a quarrel with O'Keefe over Miss Carleton and draws a gun, but Jones steps in, receiving the bullet; he dies. O'Keefe loses his job and is ordered to leave the country. But he stays on to get Bardette, whom he finds working at a warehouse. Bardette draws a gun, but in the fight that follows he is shot and dies. Bradley Page, in charge of the warehouse, offers O'Keefe a choice—either do gun-running for him or go to prison on a murder charge; O'Keefe chooses the gun-running. He demands assurance from Page that the guns were not to be used against Americans. But later he finds out that Page had lied to him. Joined by Jory and his former employer and a few workers, O'Keefe helps wipe out the bandit leader, to whom the guns had been going. He marries Miss Carleton and gets back his old job.

Karl Brown wrote the original screen play; Lew Landers directed it, and Robert North produced it. In the cast are Steffi Duna, Addison Richards, and others.

Not for children. Class B.

"Who Is Guilty?" with Ben Lyon

(Monogram, September 2; time, 68 min.)

This British-made murder mystery melodrama is, as far as American audiences are concerned, only fair program entertainment. Technically, both from the standpoint of photography and sound, it is inferior to American pictures; moreover, the British accents make it at times a bit difficult to understand. Most spectators will find the ending unsatisfactory, for the solution is left hanging in the air—four persons confess having committed the murder, but the spectator is left to puzzle it out for himself as to which one was really guilty. One character is quite amusing; he provides the comedy:—

Syd Walker, Scotland Yard detective-inspector, is placed in charge of a case involving the murder of Leslie Perrins, a Count. He is assisted by Terence de Marney, a detective. What had first appeared to be a simple case, turns out to be a difficult one, for three men confess having committed the murder. One is Ben Lyon, an American, another, Athole Stewart, a British Lord, and the third, the elevator operator in the building where the victim had lived. Left together by the inspector, the three men start talking and reveal that they had worked together to kill the victim—that one of them was to kill the Count and leave evidence involving the other two so as to puzzle the police. The reason for their desire to kill the Count was because of the unhappiness he had caused to Stewart's daughter (Antoinette Cellier), whom he had married and brutally mistreated. But as they proceed with the conversation they discover that none of them had actually committed the murder; Miss Cellier then confesses that she had done it. The inspector gives up in disgust, hoping that some one at Scotland Yard would be able to unravel the case.

The plot was adapted from the play by Alec Coppel. Laurence Huntington and Alec Coppel wrote the screen play; Fred Zelnik directed it, and I. Goldsmith produced it. Barbara Blair and others are in the cast.

Not for children. Suitability, Class B.

to pay dividends on the common stock. And yet this year the salaries of Jack Cohen and Harry Cohen, according to trade paper accounts, have been increased by about \$1,000 a week for each. In other words, the public is holding the bag.

Any wonder that many people are down on the picture industry?

* * . *

"I DON'T BELIEVE THAT Samuel Goldwyn should be criticized by the entire industry for trying to do what he thinks is right," is a remark made to me by Jack Kirsch, president of Allied Theatres of Illinois, in a letter prompted by my editorial "Wasted Efforts," in which I criticized the Gallup Poll, which was inspired by Mr. Goldwyn.

Of course, a person should not be criticized for trying to do what he thinks is right, provided what he thinks is right is not wrong for others. In the case of the Gallup Poll, as well as his article in the *Saturday Evening Post*, Mr. Goldwyn, in trying to do what he thinks is right, has done, in my opinion, much harm to the entire industry, for, as I said in that article, he has made the public conscious of the fact that the industry is in trouble. And certainly a feeling such as this among the public cannot help any one in the industry.

Even right opinions, when expressed in the wrong place and at the wrong time, do harm.

* * . *

AS STATED IN THE AUGUST 24 issue of HARRISON'S REPORTS, Allied Theatre Owners of New Jersey will give Abram F. Myers, Allied generalissimo, a testimonial banquet during its annual convention, which will be held at the Hotel President, Atlantic City, on the 25th, 26th and 27th of this month.

PICTURES NOW IN PRODUCTION

Paramount

"SHEPHERD OF THE HILLS" (in Technicolor), with Betty Field, Robert Preston, Harry Carey and James Barton, produced by William Le-Baron and directed by Henry Hathaway, based on the Harold Bell Wright novel. The novel has had considerable circulation and this should help the picture a great deal. The same novel was put into pictures twice before, once in 1919, by Mr. Bell Wright himself, and once in 1928, by First National. The Bell Wright version turned out very poor; the First National version was fairly good. Although the story material is old-fashioned, Paramount has made several alterations in the plot and perhaps in the characterizations, and since it will be in technicolor it should turn out pretty good, and even very good, in quality, and fairly good to good in box-office performance, the results depending largely on the treatment that was done to the story.

Universal

"BOSS OF BULLION CITY." This was appraised in the August 31 issue, under the title, "Paradise Valley."

"CARIBBEAN HOLIDAY." This was appraised in last week's issue under the title, "Caribbean Nights."

Warner-First National

"SOUTH OF SUEZ," with George Brent, Geraldine Fitzgerald, Brenda Marshall, James Stephenson and George Tobias, produced by William

Jacobs, and directed by Lew Seiler. The cast is good and so is the director. The box-office results will depend a great deal on the quality of the picture, which will, in turn, depend on the quality of the story.

FACTS ABOUT WALTER WANGER'S "FOREIGN CORRESPONDENT"

Some of those exhibitors who bought from United Artists in the 1939-40 season Walter Wanger's "Personal History" have asked me to tell them whether they are or are not entitled to "Foreign Correspondent," which is founded on a similar theme, most newspaper critics referring to it as being the same as "Personal History."

Since this inquiry has been made by a fairly large number of exhibitors, and since many more exhibitors are, no doubt, glad to have an answer to the same question, I have studied the case so as to be enabled to give a correct answer.

In the 1939-40 season, United Artists announced that "Personal History" was to be founded on Vincent Sheehan's book of the same name, and that the scenario was to be written by John Meehan. The story of "Foreign Correspondent" is an original, written by Charles Bennett and Joan Harrison. No mention is made in the introductory title, where the credits appear, of either Vincent Sheehan or of John Meehan. Full credit for the authorship is given to Clark Bennett and Joan Harrison.

It is true that both stories refer to an American newspaper man in war-torn Europe, but legally no exhibitor can insist that United Artists deliver to him "Foreign Correspondent" in place of "Personal History," when the two stories were written by two different authors.

It is inconceivable that an author of Vincent Sheehan's standing would have permitted the omission of his name from the screen credits if the picture were founded on his book; and equally inconceivable that he would have been a party to any arrangement with the producer whereby his name was to be kept out of the screen just to give the producer a chance to sell the picture to the contract holders for more money.

The question now is: What are the rights of those exhibitors who have contracted for "Personal History"?

The 1939-40 contract form provides that the distributor undertakes no obligation to deliver to the exhibitor any picture that is not delivered to it by the producer for distribution. Since Walter Wanger, the producer, did not produce "Personal History," and therefore did not deliver it to United Artists for distribution, United Artists is under no obligation to deliver the picture to the contract holders under their 1939-40 season's contracts.

There is, of course, a slight possibility that Walter Wanger will produce "Personal History." If he should, it is interesting to note what the rights of the contract holders are:

The 1939-40 contract form provides that, in case a picture is not released by April 15, 1941, either party may cancel that picture by simply giving notice to the other party, in writing, not later than April 15, 1941. If such a notice is not given, then the contract remains in full force as to that picture. This means that, if Walter Wanger should release "Personal History" after April 15, 1941, the contract holders will still have the right to demand it.

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No. 38

HERE AND THERE

THE ANNUAL CONVENTION of Allied Theatre Owners of New Jersey, which is to be held at the Hotel President, Atlantic City, next week, is assuming national importance, because of the organization's decision to give Abram F. Myers, general counsel of Allied States Association, a testimonial banquet. Exhibitors from almost every state of the union have signified an intention to attend.

"The Annual dinner," writes Jay Emanuel, in his Philadelphia, Washington, New York, and Boston *Exhibitor*, "is being turned into a tribute to a man whose experience within the industry is wide, and whose work for Allied is one of the most important chapters in the history of that organization and the industry."

If you have not yet made up your mind to come, do so now and either wire or write to the Hotel for reservations.

* * *

SOME ONE ON THE STUDIO LOT of Warner Bros. should be shot at sunrise for having put George Tobias in a villainous role. After seeing him in "River's End" and enjoying his performance immensely, I felt that the Warner Studio had in him an asset that should be preserved, and developed. Imagine how I felt when I learned that, in "Calling All Husbands," he appears in a despicable role; he takes the part of a cheap crook.

In "The River's End," Mr. Tobias takes the part of a French Canadian, loyal friend to the hero, whom he tries to help clear himself of the murder charge for which he had been condemned to death; and he does it at the risk of his life. His loyalty to his friend is inspiring. In "Calling All Husbands" he is dressed in shabby clothes and is shown stealing bonds from the safe of a store he had broken into.

It seems as if the person who cast him in such a role does not realize that players gain popularity not by their looks alone, not even by their acting ability, but mainly by the parts they portray. The best examples are Spencer Tracy and Clark Gable, particularly the former. The late Lewis J. Selznick used to say that he could make a star with only two pictures. And such a statement is as true as it has always been. Constance Bennett worked for years in pictures but she amounted to very little until Winnie Sheehan, head of the Fox studio at that time, put her in "Common Clay"; shortly afterwards her salary rose to \$30,000 a week. That is what a sympathetic part did to her.

There are, to be sure, exceptions to the rule about the theory that only sympathetic parts make actors popular, but these do not disprove the rule.

George Tobias is, of course, good for character parts—it would perhaps be a folly to put him in romantic roles. But even a character actor can be built up to make pictures in which he appears draw dollars to the box office. A few more parts like that in "River's End" and Mr. Tobias can become a great asset to a picture.

If my friend Bryan Foy is the one who has committed this "sin" I shall never forgive him.

* * *

SLOWLY BUT SURELY admission prices are forced up, on big pictures for the present. But if Hollywood should continue to supply big pictures, increasing the number of them as time goes on, the day will not be far distant when the general prices will be "upped" a notch, until the admission prices become normal again, reaching the 1933 level.

Just now some exhibitors fear to raise their prices even on big pictures. They must do so; otherwise the producers will not be able to make more of them, for the loss of revenue from the foreign market makes it impossible for them to continue spending big money for big pictures, and it would wreck the industry at home if they were to increase either their percentage of the intake or the number of percentage pictures in each group.

* * *

EVERY PERSON WHO HAS something to do with the production of pictures should be made to see each picture of the "Dr. Kildare" series, produced by Metro-Goldwyn-Mayer.

From the point of view of a medical man, they may not be perfect; the author may take license in presenting the method by which his principal characters diagnose diseases, and he may exaggerate considerably in the way these characters cure these diseases, but every one of the pictures presents these characters as human—so human that at times a spectator can hardly suppress his emotions of sympathy.

Incidentally, these pictures, in addition to being entertaining, build up character among the young.

* * *

LAST MONTH the Balaban & Katz circuit announced that, beginning September 13, it would discontinue triple features at its Belmont Theatre, in Chicago, but that these will

(Continued on last page)

"Dr. Kildare Goes Home" with Lionel Barrymore, Lew Ayres and Laraine Day

(MGM, Sept. 6; time, 78 min.)

The excellence of the "Dr. Kildare" series is maintained in this picture, for, as was the case with the preceding pictures, it is wholesome, entertaining, and deeply appealing. The characters are amiable, and win one's sympathy by their humane actions. Although the story is simple, it is always interesting, holding one's attention throughout. Comedy, romance, and drama are blended together in such a way as to appeal to most types of audiences:—

Lew Ayres, upon completing his hospital internship, is happy to learn that he had been appointed a resident doctor, to work with Lionel Barrymore, the chief diagnostician. Before assuming his new duties, he decides to visit his parents, for he was worried about his father's health. When he reaches home, he learns from his mother that, since conditions were bad and there were no other doctors in the community, his father overworked. He decides to remain for a time to help his father out. An idea comes to Ayres: why not establish a clinic under the modern hospitalization plans—that is, a plan whereby residents of the community would contribute ten cents per week per person, for which they would receive medical care? Three young struggling but competent doctors could be placed in charge of the clinic; in that way the burden could be taken off his father's shoulders. Ayres takes an interest in Gene Lockhart, the most influential resident in the community, who thought that he was in the best of health. Ayres, feeling that the man was ill, begs him to undergo an examination. But Lockhart refuses, asserting that Ayres was trying to influence him to lend his support to the establishment of the clinic, which was opposed by the town council. But Lockhart collapses, and Ayres diagnoses his case as meningitis. Quick action on the part of Ayres and of the three young doctors saves Lockhart's life. Grateful, Lockhart approves the clinic plan, and it goes through. Ayres is overjoyed, for now he could leave his father and take up his own job. He and Miss Day had planned to elope, but discover that every one knew about it.

Max Brand and Willis Goldbeck wrote the story, and Mr. Goldbeck and Harry Ruskin, the screen play; Harold S. Bucquet directed it. In the cast are Samuel S. Hinds, John Shelton, Nat Pendleton, Emma Dunn, and others.

Suitability, Class A.

"Haunted Honeymoon" with Robert Montgomery and Constance Cummings

(MGM, Sept. 27; time, 83 min.)

This is one of Metro-Goldwyn-Mayer's British productions. It is a fair murder mystery melodrama, and may find favor with class audiences because of the novelty of setting. The average American audience is, however, accustomed to fast action in pictures of this type; here the action, which at times is taken up with non-essentials, is slow. The picture will, therefore, have to depend on Robert Montgomery's popularity to put it across, since the other players have little box-office value; moreover, the accents are, as usual, somewhat of a drawback. It is only in the closing scenes, while the mystery is being unraveled, that the picture offers any excitement. The romance is pleasant:—

On the eve of their marriage, Montgomery, a detective, and Constance Cummings, a murder-mystery fiction writer, vow to give up crime work and lead a normal life. Montgomery purchases the country home in which Miss Cummings had lived as a child. Immediately after the marriage, they drive to the place, there to spend their honeymoon. They are accompanied by Seymour Hicks, Montgomery's faithful butler. But no sooner do they arrive than strange things begin to happen. To their dismay, they find the body of the former owner in the cellar. Leslie Banks, Scotland Yard inspector, arrives; he expects Montgomery and Miss Cummings to help him, but they refuse. They prepare to leave the house, but, feeling sorry for a young lady who was suspected by Banks, decide to solve the case. They work together, and in a short time prove that the murderer had been committed by the handy man around the house, who had tried to steal money from his victim. The case closed, Montgomery locks up the house and proceeds with Miss Cummings to find a peaceful place to spend the rest of their honeymoon.

Dorothy L. Sayers wrote the story, and Monekton Hofe, Angus MacPhail, and Harold Goldman, the screen play; Arthur Woods directed it, and Harold Huth produced it. In the cast are Robert Newton, Googie Withers, and others.

Not for children. Class B.

"I Want A Divorce" with Joan Blondell and Dick Powell

(Paramount, Sept. 20; time, 92 min.)

Very good! The story combines romantic comedy with drama and pathos. Instead of making divorce attractive, as the title might lead one to believe it shows the havoc caused by divorce, not by preachment, but by moving example. Dick Powell, who plays a straight part, and Joan Blondell give excellent performances, handling both the comedy and dramatic situations with understanding; and they are assisted ably by a well-chosen cast:—

Miss Blondell is unhappy when her sister (Gloria Dickson) divorces Conrad Nagel, for she felt that she was ruining her life. Under the terms of the divorce, both Miss Dickson and Nagel were to share in the upbringing of their young son. When the time comes for Nagel to take the child, Miss Dickson begins to feel lonesome; she hides her lonesomeness by drinking and going out with a fast crowd. In the meantime Miss Blondell meets Powell, a young lawyer, who planned to work with Sidney Blackmer, a divorce lawyer. They marry. Miss Blondell persuades Powell not to associate with Blackmer, but when the bills begin to pile up Powell goes in with Blackmer. Soon he becomes an extremely successful divorce lawyer. Although she had many luxuries, Miss Blondell is unhappy, first, because she hated the work Powell was doing, and, secondly, because his work kept him away from her. After a bitter quarrel, they part. Miss Blondell plans to obtain a divorce. Miss Dickson, realizing that she still loved Nagel, tries to become reconciled with him. But in the meantime he had fallen in love with another woman. When Miss Dickson reads of his marriage to the other woman, she kills herself. Miss Blondell is grief-stricken. The tragedy brings Powell to her side and they are reconciled; he gives up divorce work to do less lucrative civic work—that of bringing together couples who were on the verge of divorce.

Adela Rogers St. John wrote the story, and Frank Butler, the screen play; Ralph Murphy directed it, and George Arthur produced it. In the cast are Frank Fay, Jessie Ralph, Harry Davenport, Mickey Kuhn, Louise Beavers, and others.

Class A.

"Hired Wife" with Rosalind Russell, Brian Aherne and Virginia Bruce

(Universal, Sept. 13; time, 95 min.)

A good comedy for the masses. The story is not particularly new; yet it holds one's attention well, mainly because of engaging performances, fast-moving action, and a lavish production. Some of the situations and parts of the dialogue are suggestive; but it is doubtful if any but the most prudish will object to it, since it has been handled discreetly. There is not much that the characters do to awaken sympathy; but they are not objectionable:—

Rosalind Russell, secretary to Brian Aherne, head of a cement company, is in love with him. He is a serious person, except in the Spring, when he becomes conscious of "blondes." His newest attraction is Virginia Bruce, a beautiful model. Miss Russell tries to break up the affair, but without success. Robert Benchley, Aherne's lawyer, informs him that, in trying to fight the cement trust, he had put himself in the position of becoming a bankrupt. The only thing that could save him was for him to get married and put all his assets in his wife's name. Aherne asks Miss Russell to put his marriage proposal to Miss Bruce; but Miss Russell does it in a way that brings Miss Bruce's refusal. Aherne is compelled to marry Miss Russell, but he warns her that it was to be in name only. They fly to South Carolina, are married that night, and return to Aherne's home. When she tells him how she had double-crossed Miss Bruce, he is furious and orders her to leave. Aherne assures Miss Bruce that he would soon be rid of his wife and would then marry her. Miss Russell calls on an old friend (John Carroll), a poor but titled foreigner, to help her out by making love to Miss Bruce, arranging to pay all his bills during the courtship. The plan works and Miss Bruce falls in love with Carroll; she even forgives him when she learns about the plan. In the meantime, Aherne and Miss Russell learn that they really were not married, because the license of the Justice of the Peace who had married them had expired and he had neglected to renew it. But by this time Aherne knows he loved Miss Russell, and they plan to marry.

George Beek wrote the story, and Richard Connell and Gladys Lehman, the screen play; William Seiter directed it, and Glenn Tryon produced it. In the cast are Hobart Cavanaugh, Richard Lane, William Davidson, and others.

Suitability, Class A.

"No Time For Comedy" with Rosalind Russell and James Stewart

(First National, Sept. 14; time, 92 min.)

This romantic comedy is good fare for the class trade. It is sophisticated, witty in spots, well-acted, and lavish. But the story lacks mass appeal, for the characters do nothing to awaken sympathy. Moreover, there is practically no action, since the plot is developed mostly by dialogue. The picture is at its best in the first half, for in that part there is plentiful comedy; but it slows up in the second half, and towards the end it becomes a bit tiresome:—

James Stewart, a small-town playwright, arrives in New York to visit the man (Clarence Kolb) who was going to produce his play. He is thrilled to meet the star (Rosalind Russell), who, attracted by his simple ways and lack of sophistication, takes him under her wings. Allyn Joslyn, the director, thinks the play is bad and insults Stewart each time they meet. Kolb begins to feel the same way about the play and abandons production. But Miss Russell, having faith in it, induces Joslyn and the players to work on a cooperative basis. The play goes over and everyone rejoices. Stewart and Miss Russell marry, and within the following four years he writes four successful comedies in which she stars. Then Stewart meets Genevieve Tobin, the light-headed wife of wealthy Charles Ruggles; she was constantly in search of some one to inspire, and Stewart becomes her new victim. Leading him to believe that he was wasting his time on comedy, she induces him to write a tragedy. When Miss Russell tells him he was making a mistake, Stewart accuses her of having selfish motives, since there was no part for her in the new play. As a result, they separate. Miss Russell plans to obtain a divorce, after which she would marry Ruggles, who was going to divorce Miss Tobin. In company with Ruggles, Miss Russell attends the opening of Stewart's new drama, but, although it is a dismal failure, she realizes that Stewart was struggling to say something worth-while, and that she still loved him. Stewart is downhearted; but Miss Russell cheers him by telling him she would not divorce him.

The plot was adapted from the play by S. N. Behrman; Julius J. and Philip G. Epstein wrote the screen play, William Keighley directed it, and Robert Lord produced it. In the cast are Louise Beaver, J. M. Kerrigan, and others.

Suitability, Class A.

"The Mummy's Hand" with Dick Foran, Peggy Moran and Wallace Ford

(Universal, Sept. 20; time, 67 min.)

A fair program picture. The theme is fantastic, and its tone sombre. There is a mildly interesting romance:—

Stranded in Cairo (Egypt), Dick Foran, a young American archeologist, and Wallace Ford, his pal, come upon a vase, the markings of which indicated the location of the tomb of Ananka, royal princess of the seventeenth dynasty; Dick felt that this would be an archeological discovery of great value. But George Zucco, head of the Museum at Cairo, refuses funds for the expedition on the ground that the vase was only an imitation. As a matter of fact, Zucco was the high priest of the Karnak Temple, which contained the mummy of Kharis, a prince who had been buried alive when he incurred the wrath of the gods for stealing from the temple leaves of the Tana plant, with the hope of bringing back to life Ananka, the Princess, whom he loved, and who had died prematurely. But Dick was not to be swerved from his purpose; having interested in the project Cecil Kellaway, an American magician, he obtains the necessary funds despite the objections of Peggy Moran, Kellaway's daughter. Strange things happen when they begin digging, particularly after they had come upon clues indicating that the tomb was whereabouts; Kellaway and Charles Trowbridge, an official of a Cairo museum, are found murdered, and Peggy is abducted, for Zucco, by feeding Kharis' mummy with the brew of Tana leaves, brings Kharis back to life and orders him to do the killings and the abduction. Zucco is eventually killed by Wallace. By discovering a secret passage leading into the Temple, Dick and Wallace rescue Peggy just as she was about to be murdered by Kharis. By upsetting a vase containing brew of Tana leaves, Dick brings an end to the existence of Kharis. Dick and Peggy, in love with each other by this time, embark for the United States.

The plot has been founded on a story by Griffin Jay. Ben Pivar produced it, and Christy Cabanne directed it.

Suitability, Class A.

"Five Little Peppers In Trouble" with Edith Fellows

(Columbia, September 1; time, 65 min.)

This is no better than the other pictures in this series. As a matter of fact, it is a little more annoying; the action is boresome, and some of the juvenile characters are obnoxious because of the snobbish way they act towards the "Pepper" children. Some mildly amusing comedy situations result from the pranks played by the children; but the picture offers very little else:—

Pierre Watkin, wealthy friend of Dorothy Peterson and her five children, who had been living at their modest home with his grandson (Ronald Sinclair) until his new home would be completed, is enraged when he learns that Ronald's aunt was trying to obtain custody of the boy on the ground that Miss Peterson and her children were unfit company for him. He sends Ronald, Edith Fellows, and the other four children to an exclusive private school, until he could fight the case in the courts. The children are excited about their new surroundings; but they soon are made unhappy by the snobbishness of the young boys and girls, who refuse to have anything to do with them. Three of the more unruly girls, by emptying the swimming pool of its water, cause an accident, but they leave evidence to make it appear as if Edith had committed the offense. The head of the school requests of Watkin and Miss Peterson to remove Ronald and the other five children from the school. Edith and the others are happy to leave; but before she goes she tells the girls what she thought of them. Watkin makes them all happy when he informs them that the court had given him full custody of Ronald, and that soon they would all take a trip to Paris.

Margaret Sidney wrote the story, and Harry Reubas, the screen play; Charles Barton directed it. In the cast are Dorothy Ann Seese, Charles Peck, Tommy Bond, Bobby Larson, and others.

Suitability, Class A.

"Wyoming" with Wallace Beery, Leo Carrillo, Ann Rutherford and Lee Bowman

(MGM, Sept. 13; time, 87 min.)

The Wallace Beery fans should enjoy this picture, for he is given a chance to play the type of character for which he is best suited—a tough outdoor man, with a heart of gold, who shows courage when fighting evil forces. The story is a good formula western; but since the production values are very good it naturally rises above the usual picture of this type. Not only is there plentiful action—fighting, shooting, and fast riding—but it has comedy, and a romance. One of the outstanding performances is given by Marjorie Main, a tough lady blacksmith, who becomes sentimental when she meets Beery. The action takes place shortly after the Civil War:—

Beery and Leo Carrillo make their living by robbing trains. One time they make the mistake of holding up a train carrying soldiers, and naturally have to ride fast to escape. They separate. Beery meets Addison Richards, a confederate soldier on his way back to his ranch; Richards helps him. But Beery, being without supplies, takes Richards' horse and supplies, forcing him to make his way home on foot. He is extremely repentant when he later finds Richards, wounded. Richards tells him that he had been shot by cattle thieves; he begs Beery to help his children and Beery promises. Richards dies, and Beery takes his body home. Richards' two children (Ann Rutherford and Bobs Watson) take to Beery right away, and he stays on to help them. He finds himself confronted by a gang of daring crooks headed by Joseph Calleia, who was planning to force all the ranchers out of Wyoming so as to build up an empire for himself. Beery fights them, killing two henchmen and taking from them money which he turns over to Miss Rutherford, claiming it was payment for the cattle that had been stolen. Paul Kelly (General Custer) and his detachment of soldiers arrive; Kelly agrees that Beery should be arrested but warns Calleia that no harm was to come to him. Beery, with the help of Miss Main, escapes; he plans to go to California, but Bobs' tears make him change his mind. He decides to join the ranchers in a fight against Calleia. They eventually kill Calleia and his gang, and establish law and order. Beery, receiving a pardon, decides to settle down and marry Miss Main. Miss Rutherford and Lee Bowman, Kelly's young lieutenant, plan to marry.

Jack Jevne wrote the story, and he and Hugo Butler, the screen play; Richard Thorpe directed it, and Milton Bern produced it. Henry Travers and others are in the cast. The shootings make it unsuitable for children. Class B.

be restored if competitive theatres in the neighborhood should reestablish their triple-feature policies.

"The Belmont Theatre," said part of the announcement, "adopted the triple feature policy only after competitive theatres surrounding it had been presenting three features on every program a year or more. It was apparent at that time, that the triple feature policy was popular in this particular neighborhood and we adopted the idea."

For a circuit like Balaban & Katz, which, being a partner of Paramount, has the first call on every picture released, to admit that it was "licked" by an independent theatre, which resorted to triple features perhaps only because it could not get products of a suitable run, should prove encouraging to every independent theatre owner in the land, because this case demonstrates that an independent exhibitor, with an equal share of a given run product, can "lick" his affiliated-exhibitor competitor.

What the United States Government has been trying to do these past two years with the Equity suit is to bring about in the motion picture industry an equalization of conditions to a point that will enable the independent exhibitor to have an equal chance for product with the affiliated exhibitor. This, the theatre-owning producers do not, of course, want, and are exerting their efforts to thwart the government from attaining its object. In this they are helped by some stooges of theirs, so-called independent exhibitor leaders, and even by some independent exhibitors, who either have the wrong conception as to what the government is trying to do or are so lazy that they fear the thought of having to do buying more frequently, instead of once a year, "a pig in the poke," as is the case now. The natural conservatism of this latter class blinds them to what is best for their interests.

* * *

IN AN ARTICLE PUBLISHED in the September issue of *The American Press*, Charles Emde, Business Manager of that magazine, disagrees with Mr. Goldwyn as to his belief that the double feature has been the cause of the drop in picture-theatre attendance since 1930. Although the double feature has been a contributing factor, he says, the chief cause has been the producers' discontinuance of advertising in the country press.

There has been, he says, more competition to picture entertainment from the radio, the lower-priced automobiles, and now television, and by their discontinuance of advertising their coming attractions in the country press they removed the only method by which they could overcome that competition. "The exhibitor is left to do the selling job. Today the exhibitor uses smaller space to announce the picture. There is no real enthusiasm or desire created in this small copy to attract the family away from the radio and other amusements."

There is some truth in what Mr. Emde says, and it might pay the producers to look into it.

* * *

FRIEND JESSE ZUNSER, Cinema Editor of *Cue*, published in this city, writes that Electroplane is an amazing new camera, doing

things that no present camera can do. "It automatically registers every object within range of uniform focus, without adjustment, regardless of whether the figures are standing or moving at whatever speed, and in whatever direction including towards or away from the lens."

Perhaps it would be wise if the Hollywood producing chiefs were to look into the virtues of this new camera. Since I know very little about photography, and less about cameras, I cannot look this camera over myself with a view to reporting its virtues.

Cue gives a description of this camera in its August 31 issue.

* * *

"WHEN SPENCER TRACY CALLS for 'Two Coca Colas, please,' in the movie 'Test Pilot,'" said an article in an old issue of *The Indiana Exhibitor*, house organ of Allied Theatre Owners of Indiana, "the sequence gains realism, and a big advertiser gets a terrific plug."

"What's it worth?" Nobody knows, but with the average picture playing to a world audience of 15,000,000 or 20,000,000, and with a hit like 'Test Pilot' reaching as many as 60,000,000, the advertising effectiveness of the plug isn't to be minimized—particularly when it didn't cost Coca Cola a red cent. That is why advertisers in increasing numbers have been manifesting a big interest and achieving a big success—thanks to established service agencies—in getting free publicity through the movies.

"In 'First Lady,' Kay Francis lets it be known that 'Ford always makes good cars.'

"In 'Always Goodbye,' Barbara Stanwyck changes her steamer ticket so that she can sail 'on the Normandie.'

"In 'Confessions of a Nazi Spy,' Western Union gets a four-minute sequence in which their method of transferring a message from one district to another is dramatically portrayed.

"In 'Fools for Scandal,' Ralph Bellamy speaks many an institutional line for life insurance.

"In 'The First Hundred Years,' Virginia Bruce and Robert Montgomery lovingly demonstrate a home electric organ.

"And so it goes—in movie after movie, the advertisers are getting free and valuable publicity. . . ."

The article then goes on to reveal that the Walter E. Kline Agency and the Stanley-Murphy Service Agency, of Hollywood, undertake to place these plugs for advertisers. Thus the advertisers get value, but the exhibitor whose screen is used gets nothing.

Placing "plugs" in pictures has come to be a racket in Hollywood. Most of the times the heads of the companies know nothing about the deal whereby an advertising plug is put into the picture; it is made directly, either with the author, or the director, or even the unit producer.

This paper cannot accuse any particular individual of having received any compensation for having been instrumental in the insertion of the plug, because it has no proof, but certainly these plugs do not "just happen"; they must have been put there for a consideration.

HARRISON'S REPORTS

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Room 1812

New York, N. Y.

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

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Vol. XXII

SATURDAY, SEPTEMBER 28, 1940

No. 39

MISREPRESENTING THE CONSENT DECREE TO THE EXHIBITOR

Strenuous efforts are made by the other side to misrepresent to the exhibitors the effect that the Consent Decree will have upon their right to buy pictures.

The latest person from that side to make misleading statements about it is Robert B. Wilby, an affiliated exhibitor in the Atlanta territory. These misstatements were contained in a letter of his, published about a month ago by Motion Picture Herald.

Lack of space prevents me from printing the entire letter, but I am copying the most important parts of it, making the necessary comment with a view to proving to the exhibitors how wrong these statements are.

Wilby says: "The objection to the so-called trade showing for the purpose of eliminating 'blind buying' is only that it is an extremely expensive device which does not accomplish anything. In only rare cases, as you well know, can an exhibitor pay the cost in either time or money to look at the pictures which he buys and the pictures he does not buy. In this detail at least, the chains do not suffer, for we are organized to look at the film. . . ."

In what part of the consent decree is there a provision compelling the exhibitor to review the pictures at tradeshowings before buying them? Since the Consent Decree does not contain a provision of this kind, the statement is inaccurate and misleading.

Under the consent decree, the exhibitor will not be worse off than he is under the present system, even if he should not review the pictures before buying them; on the contrary, he will be much better off, for he will be able to obtain advance information as to their quality and possible box-office worth through either a representative of his, other exhibitors as well as patrons who had seen them, or his favorite reviewer.

Since the chains will not, as he says, suffer by this change in the selling system, because the chains are equipped to review pictures, why should he complain against the consent decree on this score? Is he trying to make us believe that he is acting as a good Samaritan? How many of his competitors, independent exhibitors, will fail to take with a grain of salt the good intentions he professes?

Wilby: "The objection is simply that it costs a lot of money and doesn't accomplish anything. And it particularly doesn't accomplish anything when taken along with Clause Three, which provides for the sale of five pictures. . . ."

The consent decree does not provide that the pictures shall be sold in groups consisting of five pictures, but only that the biggest group should consist of that number. The distributor may sell only one at a time, if that is his desire. Don't most distributors today sell their big pictures one at a time when it suits their purpose?

It seems as if most exhibitors dread the thought of buying only five pictures at a time at the most, but they seem to overlook the fact that they will be able to buy five-picture groups from more than one distributor at the same time. It isn't as tough as they think it is. Once the system is tried they might not want to go back to the old system under any circumstances. It is the natural reluctance to a change that gives them most of that fear, the other part of the fear being instilled into them by the producers, who make the assertion that they cannot produce pictures profitably under a system that compels them to sell five pictures at a time at the most. They, too, fear to make a change. Once they made it, they, too, might be unwilling to return to the present system.

Wilby: "I think it to be very evident that the distributor of films will make up his own blocks in such a manner that he will have the great ones carry the fair ones, and so on, so that any quart of strawberries will be at least half-rotted. . . ."

Just in what manner will the new system be different from the present system? At present, the producers put their "strawberries" into a single barrel and tell the exhibitors: "Take them or leave them!" forbidding any examination. And the exhibitor has no choice, for he has no way of determining what the barrel will contain. Under the new system, he will have an advantage—he will be able to look at them, or have some one review them for him, and will know their approximate value. Under such conditions, the salesman will not be able to make him believe that every one of the pictures offered is a masterpiece, when all such salesman knows about them is what his home office had told him.

Wilby: "Under the present 20% cancellation clause it is quite evident that in order to play the best pictures from any distributors you do not play the worst 20% from that distributor. . . ."

What 20% cancellation clause is he talking about? The man must be talking about the privileges the affiliated distributors enjoy, and not of the handicaps the independent exhibitor is under when he wants to cancel a picture.

Two companies have offered to grant to the exhibitors the right to cancel twenty per cent from each group—Warner Bros. and Metro-Goldwyn-Mayer; and, according to exhibitors, of these two

(Continued on last page)

"The Great Profile" with John Barrymore, Gregory Ratoff, Mary Beth Hughes
(20th Century-Fox, October 11; time, 71 min.)

Whatever entertainment value this comedy has is owed to the talents of John Barrymore. Each time he appears, the audience has a good time, for he is a master at the art of clowning; but when he is off the screen the picture falls flat. Audiences in large downtown theatres will undoubtedly find this to their liking, for Barrymore's antics are laughter-provoking. No sooner does he strike a pose than the spectator gets set for a comedy scene; and he is not disappointed. But it is doubtful if small-town audiences will respond to it in a similar fashion. The story is weak; and even with Barrymore's efforts it is sometimes tiresome:—

The three-day disappearance of his one and only client (John Barrymore), who had been scheduled to appear at a studio to make a picture, drives Gregory Ratoff, a theatrical manager, to distraction. Barrymore finally returns, a little the worse for having been on a drunken spree. Ratoff informs Barrymore that, not only had he been discharged by the studio and was broke, but his pretty young wife (Mary Beth Hughes) had left him. Just when things looked hopeless, along comes young Anne Baxter, an aspiring playwright; she informs Barrymore that, if he would consent to appear in a play she had written, her wealthy fiance (John Payne) would furnish the financial backing. Although Barrymore knew the play was bad, he agrees to do it, as a means of bringing his wife back, for he planned to make her his leading lady. At the opening night in Chicago, he gets drunk before the second act, but insists on continuing. He turns the drama into a farce, and has the audience laughing heartily. Enraged, Miss Hughes leaves. The play is declared a hit, but Miss Baxter is so chagrined that she insists on closing it. Ratoff and Payne, knowing that they had a success if they could get Barrymore drunk each evening, convince Miss Baxter that her duty was to help Barrymore get back on his feet, just as she did with the hero in her play. Taking them seriously, she induces Barrymore to stop drinking. When Barrymore stops drinking the play flops. By the time it opens in New York, Ratoff locates Miss Hughes, and urges her to return, for he knew she would cause Barrymore to go back to drink. His plan works.

Milton Sperling and Hilary Lynn wrote the screen play; Walter Lang directed it, and Raymond Griffith produced it. Lionel Atwill, Edward Brophy, Willie Fung, Joan Valerie, and others are in the cast. Suitability, Class A.

"Strike Up the Band" with Mickey Rooney and Judy Garland

(MGM, September 27; time, 120 min.)

Grand entertainment for the whole family. Although its greatest appeal will be to young folk, there is no doubt that older persons, too, will enjoy it, for it will take their minds off their troubles, cheering them up. The songs are good, particularly a conga number, sung by Mickey Rooney and Judy Garland; the song is used also in the development of a dance led by Mickey and Judy, in which they are joined by a large group of young boys and girls. The music and the dance are really exciting. Mickey's fans should be delighted; not only does he give his characteristic good performance, but he sings, dances, and plays the drums expertly. And Judy, too, is at her best:—

Mickey's mother (Ann Shoemaker) wants him to be a doctor, but his dream was to be a drummer in a swing band. After explaining to her how much he loved music, she tells him to do what he thought best. Mickey forms a band made up of his high-school friends, with Judy as the singer. His idea was to have them practice and then compete in a contest, sponsored by Paul Whiteman, the famous band leader, to determine the best high school band. They play at a school dance and an Elk affair in order to earn the \$200 necessary to get them to Chicago. Just when they were ready to leave, Mickey learns that one of the boys who had appeared with them at the Elk affair was in grave need of medical care; he had been injured, but had told no one about it. Mickey turns the \$200 over to the boy's mother, so that she could fly to Chicago with him for an immediate operation. But the day is saved when the wealthy father of June Preisser (a silly girl who was fond of Mickey) takes Mickey and his band to Chicago on a special train. They compete in the contest, and win it. Mickey is then given the honor of leading all the bands in one grand final number, which was broadcast.

John Monks, Jr., and Fred Finkelhoffe wrote the original screen play, Busby Berkeley directed it, and Arthur Freed produced it. In the cast are William Tracy, Larry Munn, Margaret Early, Francis Pierlot, and others. Class A.

"City for Conquest" with James Cagney and Ann Sheridan

(Warner Bros., September 21; time, 104 min.)

Very good mass entertainment! It is a mixture of melodrama with comedy, pathos, and romance, and it has just enough music and dancing to give it an extra added flavor. Cagney should win new followers by his performance, for his part is highly sympathetic. Not only is he tough and ready to swing his fists, but he is at the same time a real human being, one who is eager to sacrifice himself for those he loves. There are situations that are highly exciting, others that are tender and romantic, and a few that stir one's emotions deeply. Every one in the cast seems to have been inspired, for all the performances are good:—

Cagney and Ann Sheridan grow up together in the East side slum district of New York. They are very much in love, but Miss Sheridan, tired of the squalor and poverty around her, is afraid to marry Cagney until such time as he could earn a good living. Anyway she wanted to have a fling at professional dancing. Cagney, in order to earn some extra money to keep his brother (Arthur Kennedy) at a music school, agrees to fight. He makes such a good showing that Donald Crisp, a well-known fight manager, begs him to take fighting seriously. Cagney refuses, until he realizes that he might lose Miss Sheridan, who had formed a partnership with Anthony Quinn and was doing professional dancing. Then he goes in for fighting seriously, and makes a good showing. After a year's separation Cagney and Miss Sheridan meet again; she promises to marry him in two weeks. But immediately after giving the promise she is told that she and Quinn had an opportunity to enter the big-time night club field; the temptation was too much for her, and she chooses a career in preference to Cagney. This so embitters Cagney that he becomes reckless and decides to try for the championship, hoping to lure Miss Sheridan back to him by his success. Crisp warns him against it, but he insists. During the first few rounds Cagney shows possibilities of winning; but his opponent's manager puts rosin on the tips of his fighter's gloves and instructs him to rub it in Cagney's eyes. This blinds Cagney. As a result, Cagney loses, not only the fight but practically his eyesight as well. Miss Sheridan is so broken up by the tragedy that she gives up dancing. Cagney's boyhood friend (Elia Kazan), who had become a bigtime racketeer kills the crooked manager, and is in turn killed by the manager's henchman. After a period of idleness, which was unbearable to him, Cagney induces Crisp to fit a newsstand for him to sell newspapers. His greatest joy comes the night when he listens over the radio to his brother conducting his own symphony at Carnegie Hall. Miss Sheridan overcome with remorse when she listens to Kennedy's curtain speech in which he gave credit to Cagney for his success, seeks Cagney out and begs forgiveness. He is overjoyed again to have her in his arms.

The plot was adapted from the novel by Aben Kandel; John Wexley wrote the screen play, Anatole Litvak directed it, and Hal Wallis produced it, with William Cagney as associate producer. In the cast are Frank McHugh, Frank Craven, George Tobias, Lee Patrick, and others.

Class A for adults, but the shootings make it Class B for children.

"Yesterday's Heroes" with Robert Sterling, Jean Rogers, Ted North, Katharine Aldridge and Russell Gleason

(20th Century-Fox, September 20; time, 65 min.)

A fair program picture. There is some human interest in it, and the usual thrills of a picture that deals with football. There is a little glamour, and a fairly interesting romance:

The story deals with the young hero, an adopted son of people of moderate circumstances, who, having made good in the lower grade schools, is sent to college to study medicine. But his football playing ability is discovered and he is induced to join the football team. He becomes famous as a football player, but neglects to study. He meets the daughter of a wealthy man and, forgetting his benefactor's daughter, to whom he was engaged, marries her. But she insists that, for the time being, their marriage be kept a secret. An injury to his knee during a game causes his team to lose the game. Right about this time his wife gets tired of him and her father offers him \$10,000 to agree to an annulment of the marriage. This makes him furious. Then he disappears, until his former roommate in college discovers him and restores his faith in himself. He becomes reunited with the girl he once loved.

The plot has been founded on a *Saturday Evening Post* serial story, by William Brent. Sol M. Wurtzel produced it and Herbert I. Leeds directed it. Suitability, Class A.

"I'm Still Alive" with Kent Taylor and Linda Hayes

(RKO, September 27; time, 72 min.)

A fair program drama. The story is not unusual; yet the picture holds one's interest to some degree, mainly because of intelligent direction and the capable performances. Since Kent Taylor enacts the part of a Hollywood stunt performer, there are a few thrilling situations in which he supposedly performs these stunts. Some spectators may find the story a little too sombre, for during a good part of the action the characters mope:—

Taylor, a motion picture stunt performer, meets Linda Hayes, a star. They fall in love and marry. Being madly in love with Taylor, Miss Hayes is terrified at the work he was doing; as a matter of fact, she is so unhappy that Taylor decides to give up his hazardous job and look for something else. Having failed to find work, he becomes extremely depressed, particularly because his wife worked. Miss Hayes induces her producer (Ralph Morgan) to give Taylor a part in her new picture. When that picture is completed, he starts in another one, in which a young stunt man was to double for him in a dangerous sequence. Taylor goes to Morgan and insists on doing the stunt himself, but Morgan refuses to acquiesce. The stunt man is killed. This disheartens Taylor. He leaves his wife, and goes barnstorming over the country, doing stunt flying at county fairs. Morgan, in an effort to bring him back to Miss Hayes, who was heartbroken at the separation, writes a letter to Taylor, telling him that Miss Hayes was going to divorce him and marry his friend (Howard daSilva). Taylor meets with an accident; although he recovers, his sight is slightly impaired, compelling him to give up stunting. Believing the story about his wife and daSilva, he takes daSilva's place in a stunt job, hoping to crash. He does crash but he recovers, and is reconciled with his wife.

Edmund North wrote the story and screen play, Irving Reis directed it, and Frederick Ullman, Jr., produced it. In the cast are Don Dillaway, Clay Clement, Fred Niblo, and others. Suitability, Class A.

"Rangers of Fortune" with Fred MacMurray, Albert Dekker, Gilbert Roland

(Paramount, September 27; time, 79 min.)

A fairly good western. Although it follows more or less a formula plot, it is somewhat different. For one thing, more emphasis is placed on the comedy than on the melodramatic action, with the result that at times it is a little slow. The story itself is thin, the entertainment being derived mostly from the performances. There are a few gun-shooting sequences and several fist fights; but even these provoke laughter because of the clowning on the part of Albert Dekker, the hero's pal. The romantic interest, too, is treated in a comedy vein. The most exciting action is the gun battle in the closing scenes. A bad feature is the photography; it is dark almost throughout—so dark in some sequences that it is difficult to see anything:—

Fred MacMurray, Gilbert Roland, and Albert Dekker, three adventurers, arrive in Texas. They meet little Betty Brewer, who, together with her grandfather, had been driven out of Santa Marta by a brutal gang of land robbers who disapproved of the newspaper they were publishing. Determined to see justice done, the three men take charge of them and drive them back to town. They assist in getting out a new issue, and when it is printed they go around selling the paper, forcing their customers to pay one dollar for each copy. In the course of their work, they meet Joseph Schildkraut, aristocratic descendant of the family that had once owned the entire range, but who had since been reduced to running a bar in his own home; he treats them courteously. When Betty's grandfather dies, the three friends decide to stay to help her. They don't regret their decision when they meet Patricia Morison, who ran the village store; all three men court her. Although Betty imagined herself in love with MacMurray, she decides she was too young for him and tries to further his romance with Miss Morison. Betty and her assistant discover that the real culprit behind all the shootings of settlers was Schildkraut himself, who, seeking to avenge the downfall of his family and of their possessions, was trying to rid the territory of settlers so that he could again become ruler. Schildkraut enters the office and sees what Betty had printed. He kills both Betty and her assistant. The three pals are so heartbroken that they go after Schildkraut. Following a fierce gun battle they kill him and his gang. Because Miss Morison had decided to marry steady Dick Foran, the three friends decide to move on to new adventures.

Frank Butler wrote the original screen play, Sam Wood directed it, and Dale Van Every produced it. In the cast are Arthur Allen, Bernard Nedell, Minor Watson, and others.

Suitability, Class A.

"Calling All Husbands" with Ernest Truex, Lucile Fairbanks and George Tobias

(Warner Bros., Sept. 7; time, 63 min.)

A tiresome program comedy. The story is silly, the action slow-moving, and the characters uninteresting. Since the plot is extremely thin, a great deal of padding had to be resorted to in order to draw out the picture to feature length. For instance, in one situation the harassed husband wants to take a drink, knowing that his wife would object to it; he keeps talking to the liquor jug, saying that he would take a drink, then that he wouldn't, keeping up the conversation until the spectator squirms. There is a little excitement towards the end, and a romance, but on neither count is it impressive:—

Hen-pecked Ernest Truex leads an unhappy life both at home and at his business. His employer was cranky, and his wife (Florence Bates) ruled him with an iron hand. Every day of their married life she compared him to the other man she could have married, who had been a "gentleman." The only sympathy Truex gets is from his daughter (Lucile Fairbanks), who was in love with young George Reeves; but her mother objected to the romance. Left alone to do the dishes while his wife went to the movies, Truex invites into his home a tramp who, to his surprise, turns out to be the man (George Tobias—a crook) Miss Bates had worshipped through the years. Truex decides to teach his wife a lesson; he invites Tobias to dinner the next night, but insists that he wear his dirty old clothes. That same night he helps his daughter marry Reeves. Complications develop when Tobias arrives at Truex's home dressed in fashionable clothes; these he had stolen, along with some bonds, from Truex's employer. Eventually Truex proves to be a hero by tackling Tobias, and turning him over to the police. Miss Bates, cured by the revelation, begs forgiveness; Truex receives an increase in salary.

The plot was adapted from a play by Martin Flavin. Robert E. Kent wrote the screen play, Noel Smith directed it, and William Jacobs produced it. In the cast are Charles Halton, Virginia Sale, John Alexander, and others.

Suitability, Class A.

"The Westerner" with Gary Cooper, Walter Brennan and Doris Davenport

(United Artists, September 20; time, 98 min.)

A fairly good big Western. The production is, of course, good, but the story is not unusual; nor is the action particularly thrilling, with the exception of one or two situations. More attention has been paid to characterizations than to plot development, with the result that at times the action lags. Besides, there is too much talk. There are two outstanding thrilling situations. The one is where the homes and farms of the homesteaders burn down to the ground; the other is where the hero fights it out with the man responsible for the fire, finally killing him. The romance is pleasant, but routine:—

In the '80's, in the western end of Texas, trouble is brewing. The cattlemen, original settlers of the land, were trying to drive the homesteaders out. Judge Bean (Walter Brennan), leader of the cattlemen and self-appointed ruler of the ranges, holds "court" in his dilapidated saloon. Cole Harden (Gary Cooper), a stranger, is brought before the Judge on a charge of stealing a horse; he pleads his innocence, but in vain. Noticing all the pictures of Lily Langtry, the famous actress, hanging on the walls, Harden realizes that the Judge worshipped her, and pretends that he knew her personally and even had a lock of her hair. Impressed, the Judge sets the verdict of "guilty" aside, and becomes Harden's good friend. Harden, who had met Jane-Ellen (Doris Davenport), daughter of the leading homesteader (Fred Stone), and had been impressed by her spirit, visits her farm. Learning that the hands had all left because of cattlemen's threats, Harden helps them out. By offering to give the Judge the lock of Lily's hair, Harden wins his promise not to molest the homesteaders. Harden cuts a lock of Jane-Ellen's hair which he turns over to the Judge, as that of Lily's. While celebrating the successful completion of the growing season, the homesteaders spot a fire, which spreads; by morning not a farm or home is left; and Jane-Ellen's father is killed. Knowing that the Judge had ordered the fire, Harden goes after him. He finds him in the theatre where Lily Langtry was to make her first Texas appearance. The two men shoot it out; the Judge is wounded. Harden does him a last favor—he introduces him to Lily. The Judge dies happy. Peace is restored between homesteaders and cattlemen. Harden marries Jane-Ellen.

Stuart N. Lake wrote the story, and Jo Sweeny and Niven Busch, the screen play; William Wyler directed it, and Samuel Goldwyn produced it.

Suitability, Class A.

only Metro-Goldwyn-Mayer lives up to its promises to the fullest extent. And I doubt if many exhibitors would want to cancel twenty per cent of this company's pictures.

Oh, yes: there has been a ten per cent cancellation provision in the contracts of all the distributors since the N.R.A. days, but that provision was surrounded with so many restrictions that few exhibitors could take advantage of it, even if we were to overlook the pressure that was exerted on these exhibitors whenever they wanted to cancel a picture. And in the last three years Columbia threw that clause bag and baggage out of its contract.

It seems as if Wilby, when he talks about a 20% cancellation, knows less about the subject than about any other of the subjects he discusses.

Wilby: "It appeals (appears?) to us too as the most vicious type of selling so far as the buyer is concerned, for more than ever before it forces the bad with the good. . . ."

Is Mr. Wilby talking about affiliated or independent exhibitors? If he should be talking about independent exhibitors, will he be good enough to tell us in which way the system of five pictures in a single group will enable the distributors to stick in more bad pictures than the present system, when all the bad pictures are included in a single group? If a company makes more bad pictures than good, what will be the disadvantage to the exhibitor if the bad pictures were split up into groups of five? The exhibitor will at least have the advantage of seeing them, or learning about them, before purchase. The distributor's representative will not, then, be able to grow ecstatic about the quality of the bad ones, as he is able to do now.

Wilby: "We are rather sure that it will slow up the selling process, so that the average period of time between the release of a picture and its exhibition in the smaller towns, whether ours or some one else's, will be increased. . . ."

That is his opinion. The facts are that there is a great slow-up at present, caused, not by the distributors' method of selling the pictures, but by the affiliated and the large independent circuits, which demand unfairly long protection, not only in area but also in time. My opinion is that the new system will expedite the exhibition of pictures, because the producers would want to have a quick turnover to enable them to keep production going. But whether Wilby or this writer is right, the question will not be determined until the system is tried.

Wilby: "In spite of all the power of the chains, it's still in the record that film costs to the exhibitor—chain and independent—have gone up each year. . . ."

In this, I agree with Mr. Wilby, and I am sure that every exhibitor will agree with him. Such being the case, why the shouting by representatives of the producers about how much more the film will cost if the present selling system were to be changed? Why shouldn't the independent exhibitor take a chance at making a change of the system when there is no relief for him on the constant increase of film prices annually?

Wilby: "And if you want to get rid of 'a continuing program of specially favoring arrangements with dominant customers,' then why not let's eat the whole hog and sell pictures individually after the Neely Bill principle . . . ?"

Again Mr. Wilby makes a misstatement. The

Neely Bill does not compel the distributors to sell their pictures one at a time. If they should happen to have twenty pictures ready, why—bless their soul—they could sell them all to any exhibitor who would be willing to buy them. And they could offer all their pictures in a group, even if unproduced, provided they could furnish synopses. What it forbids them to do is to compel the exhibitor to buy them all in order that he might buy what he would want. What is wrong with that? When was Mr. Wilby told by the seller of, for example, carpets that he would have to buy also brooms if he would want to buy the high quality carpets he had in mind? And how long would he continue dealing with a seller if the articles he had bought did not come up to his promises, not once but continuously? If the seller is able to force upon him the good with the bad and he cannot help accepting them, is not that proof of monopoly? What else is it?

Wilby should obtain a copy of the Neely Bill to study it carefully so as to familiarize himself with its contents before again making rash statements about it. And he should not be making about the consent decree statements that are not correct.

PICTURES NOW IN PRODUCTION

Columbia

"CIMARRON TRAIL," with Bill Elliot. Program western.

"THIS THING CALLED LOVE," with Melvyn Douglas, Rosalind Russell, Binnie Barnes, Gloria Dickson and others, produced by William Perlberg, and directed by Alexander Hall. The box office results of this picture will depend a great deal on the story; no synopsis available at this time.

Metro-Goldwyn-Mayer

"COMRADE X," with Clark Gable, Hedy Lamarr and others, produced by Gottfried Reinhardt, and directed by King Vidor. It should be at least very good.

RKO (Radio) Pictures

"MR. AND MRS. SMITH," with Carole Lombard, Robert Montgomery, Gene Raymond, and others, directed by Alfred Hitchcock. It should be either very good or excellent.

"REMEDY FOR RICHES," with Jean Hersholt. Good program.

Twentieth Century-Fox

"ROMANCE OF THE RIO GRANDE," with Cesar Romero, Ricardo Cortez and others. For double bills.

"GOLDEN HOOFS," with Jane Withers, Charles Rogers and others. Good program.

United Artists

"LADY HAMILTON," with Vivien Leigh, Laurence Olivier, Alan Mowbray and others, produced and directed by Alexander Korda. Very good cast, and producer-director. Yet the box office results will depend a great deal on the story.

Universal

"STREETS OF CAIRO," with Sigrid Gurie, Katherine DeMille and others. Probably good program.

"BURY ME NOT ON THE PRAIRIE," with John Mack Brown. Western.

"THE BANK DICK," with W. C. Fields. Directed by Edward F. Cline. Universal has had good luck with the pictures of this actor. Possibly very good.

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A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XXII

SATURDAY, OCTOBER 5, 1940

No. 40

HERE AND THERE

THE ANNUAL CONVENTION of Allied Theatre Owners of New Jersey came off at Atlantic City as per schedule, and according to all those who attended it it was a great success, not only from the point of view of work performed but also of social activities.

William F. Rodgers was there and, at the banquet, pleasantries were exchanged between him and Mr. Myers, the honored guest. The atmosphere certainly was different from that of Minneapolis, a year ago last June. If the executives of the other film companies should receive an accurate report of the doings at that convention, they would want to do what Mr. Rodgers has done—attend exhibitor meetings whenever they are invited, for the social contact of the representative of a major film company with Allied leaders at that convention has done more to remove misunderstandings than all the formal conferences that had been held between producer-distributors and exhibitors since the time the exhibitors formed the first organization.

Mr. Myers chose a very happy simile to describe what has happened between him and the other Allied members, on the one hand, and Mr. Rodgers on the other: he said that, in the Army, when two soldiers are angry with each other and refuse to compose their differences, they are made to wash a window, each being given one side of it; they soon begin laughing and forget their differences. Why can't more distributor executives start "washing" windows with exhibitor leaders? Perhaps they will all start laughing.

* * *

AT THE OPEN MEETING FRIDAY AFTERNOON, Mr. Myers spoke on two questions, the one already affecting the interests of the exhibitors, and the other, to affect them when it is settled: the world war, and the consent decree.

On the former, Mr. Myers said partly: "Exhibitors will be affected in many ways. The foreign market will continue to shrink and the problem of getting money out of belligerent countries will be increasingly difficult. The distributors will have to invest their returns in the foreign field in foreign government bonds, and those will have no greater sanctity than treaty obligations—and we know about those. . . ." He felt that the distributors would try to make up their losses by increasing film rentals and suggested that, since the motion picture industry is a joint enterprise, the losses be apportioned among the three branches of the industry, instead of making the already overburdened exhibitor carry the whole load.

On the consent decree, he spoke extensively. His observations will be printed in forthcoming issues. All that I can say at this time is that this decree, he feels, will bring to the exhibitor greater relief than anything else that has ever been attempted heretofore. In his opinion, it does not cover all that the exhibitors have asked, but it makes a very good start.

* * *

IN A RECENT ISSUE of HARRISON'S REPORTS I recommended charging a reduced price of admission to students.

When I wrote that editorial I had no idea that any exhibitor had a similar thought in mind long before I conceived my own idea; but there is such an exhibitor—Mr. Earl J. Brothers, of Boulder Theatre, Boulder City, Nevada. He has written me a letter about the subject, and since it contains highly valuable information on the subject I am printing it elsewhere in this issue.

* * *

THE ANNUAL CONVENTION of The Independent Theatre Owners of Ohio will be held at the Deshler-Wallick Hotel, Columbus, on Wednesday and Thursday, October 30 and 31.

In conjunction with the Ohio exhibitor gathering a testimonial dinner will be given to Martin G. Smith, president of the organization.

Mr. Smith is another Allied leader who deserves whatever honor is paid him by the exhibitors of his state. As a matter of fact, he deserves the gratitude of every independent exhibitor. Any exhibitor who devotes his time for twenty years to serving the interests of his fellow exhibitors, as Mr. Smith has done, deserves recognition and honor.

John D. Kalafat, another loyal organization man, is chairman of the committee that is in charge of the affair, and exhibitors feel sure that the attendance will be large.

The banquet will be held on the evening of the first day of the convention.

* * *

IN A RECENT BULLETIN published by The Independent Theatre Owners of Ohio, Pete Wood, business manager of the organization, says:

"We learn that Republic will not deliver the following pictures on the 1939-40 contract: Two low-bracket features; 2 Autrys; 2 Roy Rogers, and 2 Mesquiteers.

"Members are cautioned about the obvious effort to resell these pictures at increased prices for 1940-41."

HARRISON'S REPORTS certainly does not condone Republic's withholding these pictures for the purpose of selling them for more money during the 1941-42 season, but Republic is doing no more nor less than what the other companies have been doing for years. It is an unfair trade practice, but under the system that business has been conducted in this industry up to this time, there is no remedy. The only remedy is the one offered by the consent decree; that is, tradeshowing the pictures before selling them.

And yet there are independent exhibitors, even members of Allied units, who are opposed to the change, for no other reason than that the new selling system will make them work a little harder; they prefer the present system, which enables the producer-distributors to do just what they are complaining against.

Some exhibitors are certainly gluttons for punishment.

* * *

THE SEPTEMBER 28 ISSUE OF *Motion Picture Herald*, put out in honor of Martin Quigley, its publisher, for his having been in the publishing business for twenty-five years, is certainly rich, not only in art, but also in reminiscences. Reading some of the stories in this number is just like coming across old forgotten friends.

This writer and HARRISON'S REPORTS are looking forward to celebrating Mr. Quigley's Golden Anniversary as a publisher of moving picture trade papers.

P. S. HARRISON, Editor
HARRISON'S REPORTS
New York, N. Y.

Dear Mr. Harrison:

The writer noted with considerable interest your comments regarding student prices, which you published in HARRISON'S REPORTS, No. 32, dated August 10th. We had already noted Fiddler's article, as well as the comment made by Showmen's Trade Review.

It might interest you to know that we have had student tickets in effect here since the theatre opened, which has been a period of 9 years, and today attribute more to this than any other reason for our being open seven days a

(Continued on last page)

"Spring Parade" with Deanna Durbin and Robert Cummings

(Universal, September 27; time, 88 min.)

Joe Pasternak and Henry Koster have again combined to make a picture that is certain to entertain all those who see it. Considering the fact that the story is thin, much credit is due them for its consistently entertaining quality. The production is lavish, the settings of old Vienna are charming, and Miss Durbin is as captivating as ever; she sings several numbers extremely well, handles the comedy touches expertly, and is charming in the romantic sequences. Mischa Auer's fans may be disappointed at the fact that he appears just in the beginning and is not seen again, particularly since the small part he plays is extremely amusing. The action takes place in Vienna, during the reign of Emperor Franz Josef. The Vienna, as well as the small-country, atmosphere is realistic and pleasing:—

While at a county fair where she had gone to sell a goat, Ilonka Tolnay (Miss Durbin) decides to have her fortune told. The slip of paper tells her that her future was in Vienna and that she would marry an artist. The prediction seemed so far-fetched that she demanded her money back. But her argument is interrupted when she notices a buyer, Gustav (Mischa Auer). She sells him the goat and then enters into a bet: if she could stand up with Gustav in dancing the czardas, a wild peasant dance, she could keep the money and the goat. She wins, but is so tired that she falls asleep on what she thought was a haystack. When she awakens she finds that the hay had been on a wagon, and that the wagon was moving. The driver, a Mr. Tescheck (S. Z. Sakall), who had no idea that she was there, informs her that they were on their way to Vienna, and that she could stay at his bakery shop. Instead of being annoyed, Ilonka is overjoyed because things were turning out as the fortune-paper had predicted. Jenny (Anne Gwynne), who worked at the shop, is the means of Ilonka's meeting with Corporal Harry Marten (Robert Cummings). When Ilonka hears that Marten composed, she decides he was the man the paper had predicted; they fall in love with each other. Ilonka decides to help Marten by bringing his music to the attention of the Emperor. In the saltsticks that Mr. Tescheck was baking for the Emperor, she rolls up the music and a note. When the Emperor finds them he is amused; but poor Mr. Tescheck is arrested. Ilonka enlists the aid of a Count to obtain an audience with the Emperor. Marten misunderstands everything, and they quarrel. Eventually she sees the Emperor, who is delighted with her. Mr. Tescheck is freed and made baker to the court. At a ball to which Ilonka had been invited by the Emperor, she is brought together with Marten, as pre-arranged by the Emperor; the young sweethearts are overjoyed.

Ernst Marischka wrote the story; Bruce Manning and Felix Jackson, the screen play. In the cast are Henry Stephenson, Butch & Buddy, Walter Catlett, Samuel S. Hinds, Allyn Joslyn, and others.

Suitability, Class A.

"Laddie" with Tim Holt and Virginia Gilmore

(RKO, Oct. 18; time, 70 min.)

Fair to poor program. It is the third time that the same story has been put into pictures. The first version turned out good, and made considerable money for the exhibitors; the second version was even better in quality, but made less money; this version does not compare with either of the other two versions, and is good only for a double-bill. From a woman's point of view, Tim Holt is not bad to look at; but RKO has to give him better screen material to make him popular—this material is too old-fashioned.

The story deals with the son of an Indiana farmer, who falls in love with a young woman (heroine), stranger in that town; she had come with her parents from England, to get away from a disgrace brought on the family by her brother. The father forbids the daughter from seeing the hero, and the hero is insulted when he calls on him to ask his permission to marry his daughter. The hero's sister comes upon a young man who was seriously ill and informs her father about it. The young stranger is taken to their home and a doctor is sent for. When they learn that he was the heroine's brother they notify his family. The father, in a rage, rushes to the hero's home intent upon killing his own son for the disgrace he had brought upon them, but he is denied entrance until the hero's mother, by her kindly talk, melts the irate father's heart and causes a reconciliation to be effected. The heroine's family, happy at the turn of events, bless her union with the hero.

The plot has been founded on the Gene Stratton Porter story. Cliff Reid produced it and Jack Hively directed it. Some of those in the cast are Joan Carroll, Spring Byington, Robert Barrat and Miles Mander.

Suitability, Class A.

"Up in the Air" with Frankie Darro, Marjorie Reynolds and Mantan Moreland

(Monogram, September 9; time, 60 min.)

This picture combines murder-mystery melodrama with comedy and music; it is fair program entertainment. Lacking a substantial plot, it nevertheless has some entertainment value, since the action is breezy; it should serve well enough on a double-feature program. The story is, of course, not to be taken seriously, for the idea of the young hero's outwitting the police and discovering the murderer's identity by himself is naturally ludicrous. There is no romance:—

Frankie Darro, a page boy at a national broadcasting station, tries to obtain an audition for Marjorie Reynolds, a singer, who worked at the reception desk. At the same time he was trying to interest some one in a script he had written for himself and his "side-kick" (Mantan Moreland), a colored porter. A young popular singer is murdered during a rehearsal; and so is, later, a young cowboy singer. Darro induces the producer of the program to give Miss Reynolds an audition; she goes over well and is given a contract. Darro, learning that the police department suspected her of knowing something about the murders, tries to induce her to hide; but the police arrest her. The producer bails her out. Darro decides to solve the case. By following certain clues he obtains enough information to lead the police to the murderer. Darro is proud that he had been instrumental in bringing Miss Reynolds to the attention of the radio executives.

Ed Kelso wrote the story and screen play; Howard Bretherton directed it, and Lindsley Parson produced it. In the cast are Gordon Jones, Lorna Gray, Tristram Coffin, and others.

The murders make it unsuitable for children. Class B.

"Christmas in July" with Dick Powell and Ellen Drew

(Paramount, October 25; time, 66 min.)

Good entertainment! The story is simple, yet charming, and it has plentiful human appeal; it should be enjoyed particularly by the masses, every one of whom dreams of some day meeting with the good fortune that befalls the hero. The comedy is handled skilfully by Raymond Walburn, an excitable advertising executive, who finds himself in a predicament from which it is hard to extricate himself. Dick Powell shows real development as a player of straight parts; he makes the hero a believable as well as likeable character. The romance between him and Ellen Drew is charming:—

Powell and Miss Drew are in love but cannot marry because of lack of funds. Three coworkers at Powell's office, knowing that he had entered into a slogan contest for a \$25,000 prize, send him a "faked" telegram notifying him that he had won first prize. Powell is deliriously happy, as is Miss Drew; everyone at the office shares in the excitement. Powell, in company with Miss Drew, presents the telegram at the advertising agency where he was instructed to call; Walburn, head of the agency, unaware that the winner had not yet been picked by the committee, turns the \$25,000 check over to Powell. Powell and Miss Drew proceed to a large department store where they buy a diamond ring, presents for their families and for everyone in the neighborhood, and furniture. The head of the department store tells Powell he could pay for everything after the check would go through the bank. At the same time, Ernest Truex, head of the firm for which Powell worked, impressed at the prize, promotes Powell. But everything crashes when Walburn, who had learned that his committee had not yet picked the winner, arrives with police to arrest Powell. Powell turns the check back to him; it is then that he learns of the joke his friends had played on him. He and Miss Drew are heartbroken. But Miss Drew puts up a good fight; she insists that Truex give Powell his chance, even though he didn't win the prize. Walburn faints when the head of the committee tells him of their choice, for it was none other than Powell.

Preston Sturges wrote the story and directed the picture; Paul Jones produced it. In the cast are William Demarest, Alexander Carr, Franklin Pangborn, Michael Morris, and others.

Suitability, Class A.

"Queen of the Yukon" with Irene Rich and Charles Bickford

(Monogram, August 26; time, 73 min.)

If a major company had produced this story with at least a \$500,000 budget, it might have turned out a pretty good melodrama of Alaska, but, produced on a limited budget as this has been, it has turned out a picture that will hardly fit outside a double-bill. The story is not very exciting even though a few murders are committed in it and a fight takes place, and the romance is nothing to brag about. There is hardly any human interest, even though a mother performs sacrifices for her daughter. The outdoor scenery is nothing to brag about either. It is doubtful if any one will believe that motherly-looking Irene Rich could be the owner a gambling boat:—

Irene Rich, nicknamed Queen of the Yukon, was plying her gambling boat, named *Queen of the Yukon*, on the river. Melvin Lang, representing the Yukon Mining Company, proposes to buy the boat, but Miss Rich refuses to sell. Thereupon Lang uses his henchmen to drive the miners out of that territory by murder. With the miners gone, there would be no gambling. June Carlson, daughter of Irene Rich, leaves school in San Francisco and, without informing her mother of her intentions, goes to her. The mother is shocked to see her there and, with the aid of Charles Bickford and all their friends, tries to hide her profession from her June. But June soon becomes aware of it, and feels that her mother's life was thrilling. The boat that had brought to Yukon June had brought also Dave O'Brien, her fiance; he had been engaged by the Yukon Mining Company as a surveyor. But June becomes so fascinated by the manliness of Charles Bickford, Irene's gambling partner, that she grows cool towards Dave. The company uses Dave to further their crooked schemes, but when Dave finds out that he unwittingly had become the cause of a murder he goes to the company's quarters, drags Lang out and beats him up terribly. This display of manhood so dazzles June that she turns to him, forgetting Bickford.

The plot has been founded on the Jack London story. Paul Malvern produced it and Phil Rosen directed it.

Suitability, Class B.

"I'm Nobody's Sweetheart Now" with Dennis O'Keefe, Constance Moore, Helen Parrish and Lewis Howard

(Universal, November 1; time, 63 min.)

An entertaining program comedy. Although the story is thin, it has fast action, a surprise ending, a few good musical numbers, and romance. The names, of course, are not particularly strong box-office attractions; but the performances are fresh, and there is no doubt that those who see it, particularly the younger set, will be entertained:—

Dennis O'Keefe, unknown to his wealthy parents, is in love with Constance Moore, a night club entertainer. When his parents invite to their home a socially prominent couple and their daughter (Helen Parrish), O'Keefe's mother (Laura Hope Crews) persuades him to take Miss Parrish out dancing. Miss Parrish insists on going to the night club where Miss Moore entertained, for she had made an appointment to meet a young man (Lewis Howard) there; her parents objected to her seeing him at all. At first Miss Moore is jealous; but O'Keefe explains things to her satisfaction. The two couples get together and decide on a plan—O'Keefe was to continue taking Miss Parrish out, but instead of spending the evening with her he would turn her over to Howard and thus be free to spend his time with Miss Moore. The plan works until Miss Crews announces the engagement of the young couple and sets the date for the wedding. Miss Moore and Howard are frantic, for they suspected that O'Keefe and Miss Parrish had become fond of each other. O'Keefe suggests that the only way out would be for Miss Parrish to desert him at the altar. Miss Parrish, realizing that she loved O'Keefe, surprises him by appearing at the ceremony; he is delighted.

Scott Darling and Erna Lazarus wrote the story, and they and Hal Block, the screen play; Arthur Lubin directed it, and Joseph Sanford produced it. In the east are Samuel S. Hinds, Berton Churchill, Margaret Hamilton, Marjorie Gateson.

Suitability, Class A.

"The Gay Caballero" with Cesar Romero

(20th Century-Fox, Oct. 4; time, 57 min.)

This addition to the "Cisco Kid" series is just a fair program offering. Considering that the fans expect plentiful action in a western, this one falls down on that score: the first half is slow, for it is developed mostly by dialogue; the second half picks up speed, and, during its development, a few exciting situations are worked up. All in all, however, the story is routine, and the thrills are too few. As in the other "Cisco Kid" pictures, the hero does not win the girl:—

Cesar Romero, while travelling with his pal (Chris-Pin Martin), comes upon a grave marked with his name; he is amused to think that people believed him dead. Noticing that bandits had approached a covered wagon, Romero and Martin rush to the aid of the people in it; they turn out to be an Englishman and his daughter (Sheila Ryan), who were on their way to claim a ranch they had bought from Janet Beecher. Romero and Martin accompany them to the ranch, where Miss Beecher invites them all to stay. She informs the Englishman that an unfortunate accident had occurred at his ranch—a fire had broken out and had burned down all the buildings; furthermore, his cattle had gone astray. She offers to give him back his money, but the Englishman refuses, saying that he would go through with his bargain. Romero overhears a conversation between Miss Beecher and her foreman; he then realizes that she had been at the bottom of all the trouble, for she did not want the property, which had been sold by her bank while she was away, to go to the new owner. Attempts are made by her men to steal the Englishman's money, but Romero intervenes each time. Miss Beecher plans things so that Romero, whose identity she knew, would be held for a murder. He manages to escape, and to help the Englishman obtain his property. Miss Beecher is killed when her horse goes wild. Romero asks Miss Ryan not to tell Miss Beecher's nephew anything, for he had known nothing about her affairs. He then goes on his way with Martin.

Walter Bulloch and Albert Duffy wrote the story, and Mr. Duffy and John Larkin, the screen play; Otto Brower directed it, and Walter Morosco and Ralph Dietrich produced it. In the east are Edmund MacDonald, and others.

The murders make it unsuitable for children. Class B.

"So You Won't Talk?" with Joe E. Brown

(Columbia, October 3; time, 69 min.)

This will have to rely on Joe E. Brown's popularity to put it across, for the plot is old-fashioned and the gags are familiar. Brown works hard, and even though the material given him is moth-eaten he manages at times to provoke laughter by his antics. As is usual in stories of mistaken identity, there is some excitement owing to the confusion that results when two persons look alike. The romance is anusing:—

Brown, a meek book reviewer on a newspaper, loses his position when he strikes his employer, who had insulted Brown's sweetheart (Frances Robinson). Urged on by Miss Robinson, he decides to write a novel. The first thing he does is to shave off his whiskers, which had been the butt of many jokes. Strange things happen to him after that: people run away from him in fear, and two gangsters address him familiarly as "Brute"; he did not realize that without his whiskers he bore a striking resemblance to a notorious gangster, who had just been released from prison. The gangsters force him to accompany them to the apartment of "Brute's" sweetheart (Vivienne Osborne); he is unable to convince them that they were mistaken—they think that his stay in prison had made him crazy. He escapes and runs to Miss Robinson's apartment. Having read the newspapers and seen "Brute's" picture, she realizes why Brown had been bothered. They decide that, in order to collect material for his novel, it might be a good idea for Brown to pose as the gangster. But complications arise when "Brute" himself arrives. Then Brown's troubles start, for not only do the police start going after him for a murder committed by "Brute" but a rival gang tries to kill him. With the help of Miss Robinson, Brown traps "Brute" and his gang, turning them over to the police.

Richard Flournoy wrote the original screen play, Edward Sedgwick directed it, and Robert Sparks produced it. In the east are Bernard Nedell, Tom Dugan, Dick Wessel, and others.

The murder makes it unsuitable for children. Class B.

week, in a location where the total drawing area, town and surrounding country, is approximately 2000 people.

During the construction of Boulder Dam, our adult price was forty cents and during the first few months of the theatre's operation we noticed that we were not getting any young folks to amount to anything, and in doing a little surveying, found that the reason was that our young people, over 12 years of age who were expected to pay the adult price of forty cents, simply had to stay away for they were of course non-productive and just couldn't talk the parents out of that much money more than about once every other week.

For the past five years our adult price has been reduced to thirty-five cents, but we have continued with the student's price of twenty cents straight through since we started it. We handle it in the following manner: Children under five years of age are not required to have a ticket. Children from five years to and including twelve years of age are required to purchase ten cent tickets. Children 13 years of age or over are classed as students, so long as they are in school (this includes high school) and are required to have a twenty cent ticket. Each year we get a complete list of all students from the schools, together with their birth dates, so that checking the two classifications is a very easy job. As a matter of fact, we don't have to check them, for we send everyone here in town a card as per the enclosed sample on his or her birthday. Children know that when they reach 13 they have to pay twenty cents, and of course are automatically reminded of the fact that we know it, when they receive their birthday card. It has become so automatic that we have to pay but little attention to it, for the minute they pass 13 they know what is expected and are delighted that they are able to get in for twenty cents instead of thirty-five cents.

There is no question but that the student ticket, particularly in the smaller theatres or neighborhood houses, is one of the finest assets a theatre can have. That is, it was until the recently enacted Federal tax. Perhaps you are familiar with the law, but if not, let me say that there is a clause in this bill which was passed in 1915, which in substance says that anyone over 12 years of age, regardless of whether or not he is admitted on a reduced price, or for that matter free of charge, must pay the same tax as an adult pays to use the same seating accommodations. In other words, these kids are now compelled to pay twenty cents plus four cents, the same amount of tax as is paid by an adult. This means that in order to come to a show they have to raise twenty-five cents instead of two dimes, and since this has been in effect the drop off in students has been very noticeable. We have experienced the same effect on our CCC boys whom we were admitting for twenty cents and from whom we are now compelled to get twenty-four cents.

When the tax first went into effect I took this matter up direct with D. C. Bliss of the Washington Offices, but was advised of the law and requested to comply with same. You know and I know that it is not the Government's intention to tax CCC boys and kids, who although over 12 years of age are still in school, the same as they tax adults, and that when this original law was made it was not the general practice to have reduced admissions for students, nor was there such a thing as CCC boys. For this reason the Government undoubtedly would make amends in the law, providing these things were brought to the attention of the proper department, and would permit the admission of these two groups without adult taxation. We have not had one adult complain about paying the defense tax. As a matter of fact, they are happy and proud to have the opportunity of helping, but the CCC boys who only have about \$3.00 per month to spend for shows, cigarettes, etc., and the students, the average age of which is 15, have done plenty of complaining, and in the opinion of the writer, are entitled to consideration.

Is it possible that your good offices would take an interest in this matter and bring it before the proper Government officials with sufficient force to cause attention?

Very truly yours,

EARL J. BROTHERS.

PICTURES NOW IN PRODUCTION

Columbia

"WILDCAT OF TUCSON," with Bill Elliot. Western.

Appraised in last week's issue under the title, "Cimarron Trail."

"JOHN BRAUN'S BODY," with Ralph Bellamy, Margaret Lindsay and others, produced by Larry Darmour. Program.

Metro-Goldwyn-Mayer

"FIGHTING SONS," with Jackie Cooper, Gene Reynolds, Ian Hunter, Gail Patrick, El Brendel and others, produced by Frederick Stephani and directed by George Seitz. Good cast, a good producer and a good director certainly ought to make a good picture.

"DR. KILDARE," untitled.

Republic

"MELODY RANCH," with Gene Autry, Jimmy Durante, Ann Miller and others. It ought to make a good picture.

"MEET THE MISSUS," with Roscoe Karns, Ruth Donnelly, Polly Moran and others. For double bill.

RKO (Radio) Pictures

"LET'S FIND A SONG," with Bob Crosby, Jean Rogers, Elizabeth Risdon, Joyce Compton and others, produced by Howard Benedict. Good program.

Twentieth Century-Fox

"PRIVATE PRACTICE OF MICHAEL SHAYNE," with Lloyd Nolan and Marjorie Weaver. Double-bill feature.

"WESTERN UNION," based on a story by Zane Grey, produced in technicolor by Harry Joe Brown, with Robert Young, Randolph Scott and others, directed by Fritz Lang. One of 20th Century-Fox's ambitious productions, the quality of which cannot be appraised in advance, for no story is available just now.

Universal

"WHO KILLED DOC ROBIN," with Richard Arlen, Andy Devine, Ed Brophy and others. Good program.

Warner-First National

"ALWAYS A BRIDE," with Rosemary Lane, Virginia Brissac and others. Perhaps good.

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACT OF CONGRESS OF AUGUST 24, 1912, AND MARCH 3, 1933, OF *HARRISON'S REPORTS*, published Weekly at New York, N. Y., for Oct. 1, 1940.

State of New York.

County of New York.

Before me, a Notary Public, in and for the State and County aforesaid, personally appeared P. S. Harrison, who, having been duly sworn according to law, deposes and says that he is the Editor of the *HARRISON'S REPORTS* and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management, etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, as amended by the Act of March 3, 1933, embodied in section 537, Postal Laws and Regulations, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business manager, are:

Publisher, *Harrison's Reports, Inc.*, 1270 6th Ave., New York, N. Y. Editor, P. S. Harrison, 1270 6th Ave., New York, N. Y.

Managing Editor, *None*.

Business Manager, *Sylvia Miller*, 1270 6th Ave., New York, N. Y.

2. That the owner is: *Harrison's Reports, Inc.*, 1270 6th Ave., New York, N. Y.

P. S. Harrison, 1270 6th Ave., New York, N. Y.

3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent, or more of total amount of bonds, mortgages, or other securities are: *None*.

4. That the two paragraphs next above, giving the name of the owners, stockholders, and security holders, if any, contain not only the list of stockholders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of bona fide owners; and this affiant has no reason to believe that any other person, association, or corporation, has any interest direct or indirect in the said stock, bonds, or other securities than as so stated by him.

(Signed) P. S. HARRISON,
(Editor).

Sworn to and subscribed before me this 20th day of September, 1940.

LILLIAN SILVER,
(My commission expires March 30, 1942.)

IN TWO SECTIONS—SECTION TWO
HARRISON'S REPORTS

Vol. XXII

NEW YORK, N. Y., SATURDAY, OCTOBER 5, 1940

No. 40

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Dr. Kildare Goes Home—MGM (78 min.)	150	Wild Horse Range—Monogram (51 min.)	Not Reviewed
Dreaming Out Loud—RKO (81 min.)	146	Who Is Guilty?—Monogram (68 min.)	147
Earl of Puddlestone—Republic (66 min.)	138	Wyoming—MGM (87 min.)	151
Five Little Peppers in Trouble—Columbia (65 min.)	151	Yesterday's Heroes—20th Century-Fox (65 min.)	154
Flowing Gold—Warner Bros. (80 min.)	138		
Foreign Correspondent—United Artists (120 min.)	134		
Fugitive from a Prison Camp—Columbia (59 min.)	139		
Gaucho Serenade—Republic (59 min.)	Not Reviewed		
Girl from Avenue A—20th Century-Fox (73 min.)	130		
Girl from God's Country—Republic (74 min.)	130		
Girl from Havana—Republic (67 min.)	147		
Golden Fleecing, The—MGM (67 min.)	143		
Golden Trail—Monogram (52 min.)	Not Reviewed		
Great Profile, The—20th Century-Fox (71 min.)	154		
Haunted Honeymoon—MGM (83 min.)	150		
Haunted House—Monogram (70 min.)	Not Reviewed		
He Stayed for Breakfast—Columbia (88 min.)	135		
Hired Wife—Universal (95 min.)	150		
Howards of Virginia, The—Columbia (114 min.)	142		
I Love You Again—MGM (98 min.)	130		
I Married Adventure—Columbia (78 min.)	139		
I'm Still Alive—RKO (72 min.)	155		
I Want a Divorce—Paramount (92 min.)	150		
Kid from Santa Fe—Monogram (50 min.)	Not Reviewed		
Kit Carson—United Artists (97 min.)	143		
Ladies Must Live—First National (58 min.)	131		
Lady in Question, The—Columbia (81 min.)	135		
Land of Six Guns—Monogram (54 min.)	Not Reviewed		
Leatherpushers, The—Universal (63 min.)	147		
Lucky Partners—RKO (99 min.)	138		
Men Against the Sky—RKO (75 min.)	142		
Moncy and the Woman—Warner Bros. (66 min.)	138		
Mummy's Hand, The—Universal (67 min.)	151		
Mystery Sea Raider—Paramount (77 min.)	135		
No Time for Comedy—First National (92 min.)	151		
One Crowded Night—RKO (67½ min.)	139		
One Man's Law—Republic (57 min.)	Not Reviewed		
On the Spot—Monogram (62 min.)	Not Reviewed		
Pals of the Silver Sage—Monogram (52 min.)	Not Reviewed		
Public Deb No. 1—20th Century-Fox (80 min.)	147		
Rainbow over the Range—Monogram (58 min.)	Not Reviewed		
Ranger and the Lady—Republic (59 min.)	Not Reviewed		
Rangers of Fortune—Paramount (79 min.)	155		
Return of Frank James, The—20th Century-Fox (92 min.)	131		
Return of Wild Bill—Columbia (60 min.)	Not Reviewed		
Rhythm on the River—Paramount (92 min.)	135		
Riders from Nowhere—Monogram (54 min.)	Not Reviewed		

River's End, The—Warner Bros. (69 min.)

Rocky Mountain Rangers—Republic (58 min.)

Secret Seven, The—Columbia (62 min.)

Sing, Dance, Plenty Hot—Republic (71 min.)

Sky Bandits—Monogram (59 min.)

Son of Roaring Dan—Universal (63 min.)

Stage Coach War—Paramount (60 min.)

Stranger on the Third Floor—RKO (63 min.)

Strike Up the Band—MGM (120 min.)

Texas Stagecoach—Columbia (59 min.)

Triple Justice—RKO (66 min.)

Tulsa Kid, The—Republic (57 min.)

Westerner, The—United Artists (98 min.)

Wildcat Bus—RKO (63 min.)

Wild Horse Range—Monogram (51 min.)

Who Is Guilty?—Monogram (68 min.)

Wyoming—MGM (87 min.)

Yesterday's Heroes—20th Century-Fox (65 min.)

RELEASE SCHEDULE FOR FEATURES

Columbia Features

(729 Seventh Ave., New York, N. Y.)

1939-40 Season

1038	Military Academy—Kelly-Jordan-Searl	July 18
1110	I Married Adventure—Johnson	July 24
1012	Blondie Has Servant Trouble—Singleton	July 25
1008	Lady in Question—Aherne-Hayworth	Aug. 7
1039	Secret Seven—Rice-Bennett (re.)	Aug. 15
1006	He Stayed for Breakfast—Douglas-Young	Aug. 22
1022	Five Little Peppers in Trouble—Fellows	Sept. 1
1024	Before I Hang (Wizard of Death)—Karloff	Sept. 17
1001	The Howards of Virginia—Grant-Scott	Sept. 19
1040	Glamour for Sale (I Am for Rent)—Pryor-Louise (reset)	Sept. 27
1009	Angels over Broadway (Before I Die)—Fairbanks, Jr.-Hayworth (reset)	Sept. 30

Beginning of 1940-41 Season

2201	Durango Kid—Starrett	Aug. 15
2032	Fugitive from a Prison Camp—Holt	Sept. 5
2209	Prairie Schooners—Bill Elliott	Sept. 30
	So You Won't Talk—Joe E. Brown	Oct. 3
	Nobody's Children—Fellows-Lee	Oct. 17
2202	West of Abilene—Starrett	Oct. 21
	Girls Under 21—Hudson-Kelly	Oct. 24
	Blondie Plays Cupid—Singleton-Lake	Oct. 31
	Passage West—O'Brien-C. Bennett	Oct. 31

First National Features

(321 W. 44th St., New York, N. Y.)

1939-40 Season

467	The Man Who Talked Too Much—Brent	July 6
454	All This and Heaven Too—Davis-Boyer	July 13
474	Ladies Must Live—Morris-Lane	July 27
460	They Drive By Night—Raft-Sheridan	Aug. 3

(End of 1939-40 Season)

Beginning of 1940-41 Season

554	No Time for Comedy—Russell-Stewart	Sept. 14
	East of the River—Garfield-Marshall	Sept. 21

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

1939-40 Season

47 Gold Rush Maisie—Sothern-Bowman July 26
46 Pride and Prejudice—Garson-Olivier Aug. 2
50 I Love You Again—Powell-Loy Aug. 9
49 Golden Fleecing—Ayres-Johnson Aug. 16
48 Boom Town—Cable-Tracy Colbert-Lamarr Aug. 30

(End of 1939-40 Season)

Beginning of 1940-41 Season

101 Dr. Kildare Goes Home—Ayres-Day (re.) Sept. 6
102 Wyoming (Bad Man of Wyoming)—
 Beery-Carrillo-Rutherford Sept. 13
104 Haunted Honeymoon—Montgomery-Cummings
 Sept. 20
103 Strike Up the Band—Rooney-Garland Sept. 27
105 Sky Murder—Pidgeon-Meek-Verne Sept. 27
106 Dulcy—Sothern-Hunter-Young-Gardiner Oct. 4
107 Third Finger, Left Hand—Loy-Douglas Oct. 11
108 Escape—Shearer-Taylor-Veidt (re.) Oct. 18
109 Hullabaloo—Morgan-Grey-Burke-Meek Oct. 25

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

3960 Wild Horse Range—Randall (51 min.) June 25
3956 The Golden Trail—Ritter (52 min.) July 3
3910 Haunted House—Jones-Moran (70 min.) July 22
3957 Rainbow over the Range—Ritter (58 min.) July 29
3913 Laughing at Danger—Darro-Hodges (62m.) Aug. 12
3939 Missing People—Will Fyffe (69 min.) Aug. 19
3958 Arizona Frontier—Tex Ritter (55 min.) Aug. 19

Beginning of 1940-41 Season

4024 Orphans of the North—native cast (57m.) July 29
4008 Doomed to Die—Boris Karloff (67 min.) Aug. 5
4003 Queen of the Yukon—Bickford-Rich Aug. 26
4014 Up in the Air (Broadcasting Mystery)—
 Darro (62 min.) Sept. 2
4020 Who Is Guilty?—Ben Lyon Sept. 9
4021 That Gang of Mine—East Side Kids (62m.) Sept. 23
 The Ape—Boris Karloff (65m.) (re.) Sept. 30
 Drums of the Desert—Byrd-Gray Oct. 7
 Old Swimmmin' Hole—Moran-Jones Oct. 14
 Phantom of Chinatown—Keye Luke Oct. 25

Paramount Features

(1501 Broadway, New York, N. Y.)

3945 The Great McGinty—Donlevy-Angelus Aug. 23
(End of 1939-40 Season)

Beginning of 1940-41 Season

4001 Rhythm on the River—Crosby-Martin Sept. 6
4002 I Want a Divorce—Powell-Blondell Sept. 20
4003 Rangers of Fortune—MacMurray-Morison Sept. 27
4004 The Quarter Back—Morris-Dale-Frawley Oct. 4
4005 Cherokee Strip—Dix-Rice-Jory Oct. 11
4006 Moon over Burma—Lamour-Preston-Foster Oct. 18
4007 Christmas in July—Powell-Drew Oct. 25

Republic Features

(1776 Broadway, New York, N. Y.)

Beginning of 1940-41 Season

071 The Tulsa Kid—Red Barry (57 min.) Aug. 16
061 Oklahoma Renegades—Three Mesq. (57m.) Aug. 29
043 Ride Tenderfoot Ride—Autry (66 min.) Sept. 6
017 Girl from Havana—O'Keefe-Carleton Sept. 11
051 Colorado—Roy Rogers (58 min.) Sept. 15
062 Under Texas Skies—Three Mesq. (57 min.) Sept. 30
072 Frontier Vengeance—Red Barry Oct. 19
005 Melody and Moonlight—Downs-Colonna Oct. 11
001 Hit Parade—K. Baker-F. Langford Oct. 15
052 Young Bill Hickok—Roy Rogers Oct. 21

RKO Features

(1270 Sixth Ave., New York, N. Y.)

061 Queen of Destiny—Anna Neagle Aug. 2
095 Walt Disney Festival—(Reissue) (116 min.) Aug. 2
042 One Crowded Night—Seward-Kerrigan Aug. 9
0/1 The Ramparts We Watch—March of Time Aug. 16
041 Stranger on the Third Floor—Lorre Aug. 16
040 Dance Girl Dance—Ball-O'Hara-Hayward Aug. 23
043 Wildcat Bus—Wray-Lang Aug. 23
038 Lucky Partners—Rogers-Colman Aug. 30
086 Triple Justice—George O'Brien Sept. 27

(End of 1939-40 Season)

Beginning of 1940-41 Season

101 Men Against the Sky—Dix-Barrie-Taylor Sept. 6
102 Dreaming Out Loud—Lum and Abner Sept. 13
103 I'm Still Alive—Taylor-Hayes Sept. 27
105 The Villain Still Pursued Her—
 Louise-Cromwell-Mowbray Oct. 4
181 Wagon Train—Tim Holt Oct. 4
106 Too Many Girls—Carlson-Ball-Miller Oct. 11
107 Laddie—Holt-Gilmore Oct. 18

Twentieth Century-Fox Features

(444 W. 56th St., New York, N. Y.)

106 Pier 13—Bari-Nolan-Valerie Aug. 23
109 Young People—Temple-Oakie-Greenwood (r) Aug. 30
110 Charlie Chan at the Wax Museum—Toler (r) Sept. 6
105 Public Deb No. 1—Joyce-Payne-Murphy Sept. 13
116 Yesterday's Heroes—Sterling-Rogers Sept. 20
107 Brigham Young—Power-Darnell-Jagger (r) Sept. 27
108 The Gay Caballero (The Ghost of the Cisco
 Kid)—Romero-Martin (reset) Oct. 4
111 The Great Profile—Barrymore-Hughes (r) Oct. 11
114 Night Train—Lockwood-Harrison Oct. 18
113 Down Argentine Way—Ameche-Grable Oct. 25
115 Hudson's Bay—Muni-Field-Tierney Nov. 8
102 Street of Memories—Roberts-Kibbee (re.) Nov. 15

United Artists Features

(729 Seventh Ave., New York, N. Y.)

Our Town—Frank Craven-Martha Scott May 24
(End of 1939-40 Season)

Beginning of 1940-41 Season

South of Pago Pago—Hall-McLaglen July 19
Captain Caution—Mature-Platt-Carrillo Aug. 9
Foreign Correspondent—McCrea-Day-Marshall Aug. 16
Kit Carson—Hall-Bari-Andrews Aug. 30
Pastor Hall—Lawson-Pilbeam Sept. 13
The Westerner—Cooper-Brennan-Davenport Sept. 20
The Thief of Bagdad—Veidt-Sabu-Duprez Sept. 27
The Son of Monte Cristo—J. Bennett-Hayward Nov. 8

Universal Features

(1250 Sixth Ave., New York, N. Y.)

1939-40 Season

4039 South to Karanga—Bickford-Craig Aug. 2
4003 Boys from Syracuse—Jones-Ray Aug. 9
(End of 1939-40 Season)

Beginning of 1940-41 Season

5013 Argentine Nights—Ritz Bros. Sept. 6
5051 The Leather Pushers—Arlen-Devine Sept. 13
5006 Hired Wife—Russell-Aherne-Bruce Sept. 13
5046 The Fugitive—Wynyard-Richardson (re.) Sept. 20
5061 Ragtime Cowboy Joe—J. M. Brown (58m.) Sept. 20
5020 The Mummy's Hand—Foran-Moran Sept. 20
Spring Parade—Durbin-Cummings (89m.) Sept. 27
Diamond Frontier—McLaglen-Nagel Oct. 4
A Little Bit of Heaven—Jean-Stack Oct. 11
5024 Slightly Tempted—Herbert-Moran (60m.) Oct. 18
5062 Law and Order—J. M. Brown Oct. 18
Seven Sinners—Dietrich-Wayne (reset) Oct. 25
I'm Nobody's Sweetheart Now—O'Keefe Nov. 1
5052 Isle of Missing Men—Arlen-Devine Nov. 1

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

417 Money and the Woman—Lynn-Marshall Aug. 17
412 Flowing Gold—O'Brien-Garfield (re.) Aug. 24
401 The Sea Hawk—Flynn-Marshall-Rains (re.) Aug. 31
(End of 1939-40 Season)
Beginning of 1940-41 Season
519 Calling All Husbands—Truex-Tobias Sept. 7
City for Conquest—Cagney-Sheridan Sept. 21
Knute Rockne—All American—O'Brien-Page . Oct. 5

SHORT SUBJECT RELEASE SCHEDULE

Columbia—One Reel

1512 The Timid Pup—Color Rhapsody (7½m.) .. Aug. 1
1860 Screen Snapshots No. 10—(9m.) Aug. 1
1657 Community Sing No. 7—(10m.) Aug. 16
1756 Peep in the Deep—Fables (6m.) Aug. 23
1810 Fishing in Hawaii—Sports. (9½m.) Aug. 30
1906 Our National Defense—Wash. Par. (10m.) Aug. 30
(1976 "Squadron 992" has been withdrawn)
(End of 1939-40 Season)

Beginning of 1940-41 Season

2551 Historic Virginia—Tours (10m.) Aug. 16
2971 Hobby Lobby—Cinescope (11½m.) Aug. 30
2501 Tangled Television—Color Rhap. (7m.) Aug. 30
2851 Screen Snapshots No. 1 Sept. 6
2552 Savoy in the Alps—Tours (10½m.) Sept. 13
2701 Schoolboy Dreams—Phantasies (6m.) Sept. 24
2553 Old and New Arizona—Tours Sept. 27
2751 Farmer Tom Thumb—Fables Sept. 27
2651 Community Sing No. 1 Oct. 2
2972 Floating Elephant—Cinescope (9m.) Oct. 4
2502 Mr. Elephant Goes to Town—Color Rhapsody
(7½ min.) Oct. 4
2801 Master of Cue with Willie Hoppe—
World of Sport Oct. 4
2901 The Mint—Washington Parade Oct. 11
2702 Happy Holidays—Phantasies Oct. 18
2852 Screen Snapshots No. 2 Oct. 18

Columbia—Two Reels

1939-40 Season

1407 Nutty But Nice—Stooges (18m.) June 14
1171 Walls of Doom—Terry #11 (17½m.) June 21
1172 No Escape—Terry #12 (18½m.) June 28
1436 Taming of the Snood—Keaton (16m.) June 28
1173 Fatal Mistake—Terry #13 (17½m.) July 5
1174 Pyre of Death—Terry #14 (17m.) July 12
1437 His Bridal Fright—Chase (16m.) July 12
1175 The Secret of the Temple—Terry #15 (17m.) July 19
1181 A Wild West Empire—Deadwood Dick No. 1
(32½ min.) July 19
1408 How High Is Up?—Stooges (16½m.) July 26
1182 Who Is the Skull?—Dick No. 2 (20m.) July 26
1183 Pirates of the Plains—Dick No. 3 (21m.) Aug. 2
1184 The Skull Baits a Trap—Dick No. 4 (18m.) Aug. 9
1438 Fireman Save My Choo-Choo—All Star
(17½ min.) Aug. 9
1185 Win, Lose or Draw—Dick No. 5 (19m.) Aug. 16
1186 Buried Alive—Dick No. 6 (17½m.) Aug. 23
1187 The Chariot of Doom—Dick No. 7 (18m.) Aug. 30
1188 The Secret of No. 10—Dick No. 8 (18m.) Sept. 6
1189 The Fatal Warning—Dick No. 9 (17m.) Sept. 13
1190 Framed for Murder—Dick No. 10 (17½m.) Sept. 20
1191 The Bucket of Death—Dick No. 11 Sept. 27
1192 A Race Against Time—Dick No. 12 Oct. 4
1193 The Arsenal of Revolt—Dick No. 13 Oct. 11
1194 Holding the Fort—Dick No. 14 Oct. 18
1195 The Deadwood Express—Dick No. 15 Oct. 25
(One more serial to come)

Beginning of 1940-41 Season

2401 From Nurse to Worse—Stooge (17m.) Aug. 23
2421 Pleased to Meet You—All Star (18m.) Sept. 6
2422 The Spook Speaks—Keaton Sept. 20
2402 No Census No Feeling—Stooge (16½m.) Oct. 4
2423 Cold Turkey—Langdon Oct. 18

Metro-Goldwyn-Mayer—One Reel

1939-40 Season

W-91 Romeo in Rhythm—Cartoons (8m.) Aug. 10
S-112 Please Answer—Pete Smith (9m.) Aug. 24
K-126 Baron and the Rose—Passing Par. (11m.) Sept. 7
W-92 Papa Gets the Bird—Cartoons (8m.) Sept. 7
S-113 Football Thrills of 1939—Smith (9m.) Sept. 21

Metro-Goldwyn-Mayer—Two Reels

1939-40 Season

P-5 Buyer Beware—Crime Doesn't Pay (21m.) Aug. 17
P-6 Soak the Old—Crime Doesn't Pay (20m.) Aug. 24

Paramount—One Reel

E9-11 Wimmin Hadn't Oughta Drive—Popeye
(6 min.) Aug. 16
C9-6 You Can't Shoe a Horse Fly—Color Classic
(6½ min.) Aug. 23
E9-12 Puttin' on the Act—Popeye (6m.) Aug. 30
B9-10 Springtime in the Rockage—Stone Age
(6½ min.) Aug. 30
B9-11 Pedagogical Institution (College to You)—
Stone Age (6 min.) Sept. 13
B9-12 Way Back When Women Had Their Weigh—
Stone Age Sept. 27
(End of 1939-40 Season)

Beginning of 1940-41 Season

R0-1 Diving Demons—Sportlight (9m.) Sept. 6
J0-1 Popular Science No. 1 Sept. 6
A0-1 Moments of Charm of 1941—Headliner Sept. 13
H0-1 The Dandy Lion—Animated Antics cart. Sept. 20
E0-1 Popeye Meets William Tell—Popeye (6m.) Sept. 20
L0-1 Unusual Occupations No. 1 Sept. 27
R0-2 The Sporting Everglades—Sportlight (9m.) Oct. 4
G0-1 King for a Day—Gabby Color cartoon Oct. 11
V0-1 Nature's Nursery—Paragraphic Oct. 11
E0-1 My Pop, My Pop—Popeye Oct. 18

RKO—One Reel

04110 Pluto's Dream House—Disney (8m.) Aug. 30
04111 Window Cleaners—Disney (8m.) Sept. 20
04112 Mr. Mouse Takes a Trip—Disney Oct. 11
04113 Gone with the Whirlwind—Disney Nov. 1
04114 Fire Chief—Disney Nov. 22
(Four more Disneys to come)

Beginning of 1940-41 Season

14301 Quail Quest—Sportscope (9m.) Aug. 30
14201 Information Please No. 1—(11m.) Sept. 6
14401 Picture People No. 1—(10m.) Sept. 13
14302 Kentucky Royalty—Sportscope Sept. 27
14202 Information Please No. 2 Oct. 4

RKO—Two Reels

03112 March of Time No. 12—(17m.) Aug. 2
03113 March of Time No. 13—(20m.) Aug. 23
(End of 1939-40 Season)

Beginning of 1940-41 Season

13401 Sunk by the Census—Kennedy (18m.) Sept. 6
13101 March of Time No 1—(19m.) Sept. 13
13701 He Asked for It—Errol (18m.) Sept. 27
13402 A Trailer Tragedy—Kennedy (17m.) Oct. 18
13501 Bar Buckaroos—Ray Whitley (16m.) Nov. 8

Twentieth Century-Fox—One Reel

1501 Club Life in the Stone Age—T. Toon (7m.) Aug. 23
1401 Grunters and Groaners—Lehr (9m.) Aug. 30
1552 The Lucky Duck—Terry-Toon (7m.) Sept. 6
1102 Land of Flowers—Lowell Thomas (9m.) Sept. 13
1502 Touchdown Demons—Terry-Toon (7m.) Sept. 20
1201 Midget Auto-Racers—Adv. News Camera.... Sept. 27
1553 How Wet Was My Ocean—Terry-Toon Oct. 4
1302 Fly-Casters—Sports Oct. 11
1503 Happy Haunting Grounds—Terry-Toon Oct. 18
1103 Isle of Mystery—Father Hubbard—Thomas Oct. 25

Universal—One Reel

Beginning of 1940-41 Season

5261 Jolly Little Elves—cart. reissue (8½ m.) ... June 3
 5262 Three Lazy Mice—cart. reissue (9 m.) ... June 24
 5263 Springtime Serenade—cart. reissue (7 m.) ... July 1
 5264 Candyland—cartoon reissue (8 m.) ... July 29
 5265 The Fox and the Rabbit—cart. reissue (8 m.) ... Aug. 12
 5266 Toyland Premier—cart. reissue (9 m.) ... Aug. 19
 5371 Stranger Than Fiction #81—(9 m.) ... Sept. 16
 5241 Crazy House—Lantz cartoon (reissue) ... Sept. 23
 5351 Going Places with Thomas #81—(9 m.) ... Sept. 23
 5372 Stranger Than Fiction #82—(9 m.) ... Oct. 7
 5352 Going Places with Thomas #82—(9 m.) ... Oct. 14
 5242 Recruiting Days—Lantz cartoon ... Oct. 28

Universal—Two Reels

1939-40 Season

4892 Doom of the Dictator—Gordon #12 (20 m.) ... June 25
 4231 Hawaiian Rhythm (Honolulu Bound)—
 musical (17 min.) ... July 17
 4232 Varsity Vanities—musical (17 m.) ... Aug. 7
 4233 I Dream of Jeannie with the Light Brown Hair
 (Variety Bazaar)—musical (17 min.) ... Aug. 28
 (End of 1939-40 Season)

1940-41 Season

5591 Bullets in the Dark—West No. 11 (20 m.) ... Sept. 10
 5592 The Battle of Blackhawk—West No. 12
 (17 min.) ... Sept. 17
 5593 Barricades Blasted—West No. 13 (18 m.) ... Sept. 24
 5221 Class in Swing—musical (reset) ... Sept. 25
 5681 Enemies Within—Junior G-Men No. 1
 (19 min.) ... Oct. 1
 5682 The Blast of Doom—G-Men No. 2 (20 m.) ... Oct. 8
 5683 Human Dynamite—G-Men No. 3 (19 m.) ... Oct. 15
 5684 Blazing Danger—G-Men No. 4 (18 m.) ... Oct. 22
 5222 Congamania—musical ... Oct. 23
 5685 Trapped by Traitors—G-Men No. 5 (20 m.) ... Oct. 29

Vitaphone—One Reel

5325 Ghost Wanted—Merrie Melodies (7 m.) ... Aug. 10
 5410 Famous Movie Dogs (Movie Dog Stars)—
 Color Parade (9½ min.) ... Aug. 17
 5326 Ceiling Hero—Merrie Melodies (8½ m.) ... Aug. 24
 5616 Patient Porky—Looney Tunes (6 m.) ... Aug. 24
 (End of 1939-40 Season)

Beginning of 1940-41 Season

6501 Matty Malneck & Orch.—Mel. Mast.
 (9½ min.) ... Sept. 14
 6701 Malibu Beach Party—Mer. Mel. (8 m.) ... Sept. 14
 6401 Fly Fishing—Sports Parade (9 m.) ... Sept. 21
 6601 Calling Dr. Porky—Looney Tunes (7 m.) ... Sept. 21
 6301 Football Highlights—Novelties (10 m.) ... Sept. 28
 6702 Stagefright—Merrie Melodies (7 m.) ... Sept. 28
 6602 Pre Historic Porky—Looney Tunes (7 m.) ... Oct. 12
 6703 Holiday Highlights—Merrie Melodies ... Oct. 12
 6704 Good Night Elmer—Merrie Melodies ... Oct. 26
 6502 Joe Reichman & Orch.—Mel Masters ... Oct. 26
 6402 Dogs You Seldom See—Sports Parade ... Nov. 2
 6603 Sour Puss—Looney Tunes ... Nov. 2
 6302 Shark Hunting—Novelties ... Nov. 9
 6705 Wacky Wildlife—Merrie Melodies ... Nov. 9
 6503 Jan Garber & Orch.—Melody Masters ... Nov. 23
 6706 Bedtime for Sniffles—Merrie Melodies ... Nov. 23

Vitaphone—Two Reels

5110 Young America Flies—Bway. Brev. (22 m.) ... July 13
 5008 Service with the Colors (Flag of Humanity)—
 Technicolor (20 min.) ... Aug. 31
 (End of 1939-40 Season)

Beginning of 1940-41 Season

6101 Riding into Society—Maxwell com. (19 m.) ... Sept. 7
 6201 Just a Cute Kid—Bway. Brev. (20 m.) ... Oct. 5
 6001 Flag of Humanity—Tech. Spec. (19 m.) ... Oct. 19
 6202 Ed Sullivan's Hollywood—Bway. Brev. ... Nov. 16

NEWSWEEKLY

NEW YORK

RELEASE DATES

Paramount News

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 13 Saturday ... Oct. 12
 14 Wednesday ... Oct. 16
 15 Saturday ... Oct. 19
 16 Wednesday ... Oct. 23
 17 Saturday ... Oct. 26
 18 Wednesday ... Oct. 30
 19 Saturday ... Nov. 2
 20 Wednesday ... Nov. 6
 21 Saturday ... Nov. 9
 22 Wednesday ... Nov. 13
 23 Saturday ... Nov. 16

Pathé News

15212 Wed. (E.) ... Oct. 9
 15113 Sat. (O.) ... Oct. 12
 15214 Wed. (E.) ... Oct. 16
 15115 Sat. (O.) ... Oct. 19
 15216 Wed. (E.) ... Oct. 23
 15117 Sat. (O.) ... Oct. 26
 15218 Wed. (E.) ... Oct. 30
 15119 Sat. (O.) ... Nov. 2
 15220 Wed. (E.) ... Nov. 6
 15121 Sat. (O.) ... Nov. 9
 15222 Wed. (E.) ... Nov. 13
 15123 Sat. (O.) ... Nov. 16

Universal

917 Wednesday ... Oct. 9
 918 Friday ... Oct. 11
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 922 Friday ... Oct. 25
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 924 Friday ... Nov. 1
 925 Wednesday ... Nov. 6
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 927 Wednesday ... Nov. 13
 928 Friday ... Nov. 15

Metrotone News

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 218 Thursday ... Nov. 14

Fox Movietone

9 Wednesday ... Oct. 9
 10 Saturday ... Oct. 12
 11 Wednesday ... Oct. 16
 12 Saturday ... Oct. 19
 13 Wednesday ... Oct. 23
 14 Saturday ... Oct. 26
 15 Wednesday ... Oct. 30
 16 Saturday ... Nov. 2
 17 Wednesday ... Nov. 6
 18 Saturday ... Nov. 9
 19 Wednesday ... Nov. 13
 20 Saturday ... Nov. 16

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No. 41

HERE AND THERE

SPEAKING TO THE EXHIBITORS on the afternoon of the last day of the convention of Allied Theatre Owners of New Jersey, Abram F. Myers said concerning the consent decree partly the following: According to Thurman Arnold's latest book, "The Bottlenecks of Business," the anti-trust laws had never been enforced before, not because of any fault of the personnel of the Department of Justice, but because Congress had never appropriated sufficient funds to enable the Department to carry on prosecutions of violators. Hence the many consent decrees. "But the new consent decree," said Mr. Myers, "is a modern streamlined version. It bears no noticeable resemblance to those improvident and benighted Republican decrees. It is not made necessary by lack of funds, and it is not resorted to to condone violations of law. It is not the product of secret conclaves in smoke filled rooms. It is not limited to injunctions against law violations, but is designed to remedy all abuses in an industry. All this I gather from reading 'Bottlenecks of Business.' . . ."

"There are other reasons why a settlement is desirable. The outcome of any litigation is problematical. I am confident the evidence available in the *Paramount Case* would bring victory to the Government, if not in Judge Goddard's Court, then in the Supreme Court. But Attorneys General change—also they change their minds—and witnesses die off or are bought off. Besides, a trial means hopes long deferred, and the need for relief is immediate and pending.

"Hence I want to emphasize the fact that I am not opposed to the idea of a fair and just settlement. . . ."

Beginning next week, I intend to analyze the decree with a view to pointing out to you the great benefits that every exhibitor will get under it.

* * *

IN APPRAISING THE POSSIBLE box office value of "The Life of Knute Rockne" in the May 11 issue of HARRISON'S REPORTS, I said the following: ". . . in the opinion of this paper, Pat O'Brien is miscast in the part of dynamic Knute Rockne."

After seeing the picture, I offer my apologies to Mr. O'Brien, for not only does he look the part of the late Mr. Rockne, but also acts it with the same vigor. Martin Quigley knew Mr. Rockne intimately and, when we left the projection room and we were discussing the picture, he told me that in certain of the scenes—in those in which O'Brien appears in a sweater—he himself could not tell that O'Brien was not Rockne himself.

Incidentally, the picture is a credit to the industry.

"THE GREAT DICTATOR," Charles Chaplin's latest picture, is to open in this city the coming week.

In May, no one would give even a cent for the whole production; today, "The Great Dictator" is a valuable piece of property. Such are the human affairs.

If the picture is a valuable piece of property now, Mr. Chaplin owes it to a few determined young men—the Royal Air Force, whose number is so little, but whose accomplishments are so great.

Mr. Chaplin should devote a large share of his profits from the picture in the English market to create a fund with which to buy cigarettes and other little luxuries for those "determined" young men.

* * *

THE PRODUCER SUGGESTION for raising admission prices on meritorious pictures has created no little controversy, many exhibitors being against the suggestion, as dangerous.

Whether you believe in raising the admission prices on exceptional pictures or not, there is one thing that you have to bear in mind: the present admission scale is so low that something has to be done about it; otherwise the producers, with their foreign market almost all gone, will not be able to spend big money on outstanding productions. Until very recently, there were only 140 theatres charging more than 40c admission, whereas in 1932 there were 2,500 charging 50c or more.

* * *

"IT DOES NOT MATTER which way the agreement between the Government and the majors swing," wrote Bill Wilkerson in a recent issue of his *Hollywood Reporter*, "its wording will DEFINITELY change the entire picture of distribution and exhibition, and EVERY studio in town is standing by for the final draft of the agreement.

"Studio heads contacted yesterday are of varying opinions. Some believe the change will demand more production than ever; others believe it will cut production in half. But both sides agree that quality must be jumped. . . ."

That there will be a change in the method of distribution if the consent decree should be signed we all know, but the method of exhibition will in no way be affected, except that, in due time, some of the double-billing exhibitors may see fit to become single-billers. But it will not be because the consent decree compels a change.

As to Mr. Wilkerson's statement that, in accordance with the belief of all Hollywood producers, the quality of the pictures will improve, there isn't the least doubt. For years HARRISON'S REPORTS has been preaching that the quality of the pictures

(Continued on last page)

**"The Quarterback" with Wayne Morris,
Virginia Dale and Edgar Kennedy**
(Paramount, October 4; time, 73 min.)

A fair college football picture of program grade. The only way in which it differs from the many other football pictures is the fact that not the hero but his twin brother does the football playing. There is not much freshness in the plot, either from the mistaken identity or football angle; but, since it is the beginning of the football season, it may do a little better than average business, although its appeal will be directed mostly to men. There is some comedy and a romance; and in the closing scenes of the final game there is a little excitement:—

Wayne Morris, a serious college student, falls in love with Virginia Dale, another student; but he is too bashful to speak to her. His twin brother (also played by Morris), a ne'er-do-well, arrives in town; the studious brother soon finds this out when he begins receiving bills for broken glasses, for gambling debts, and other things. Since the two brothers looked identically alike, every one naturally thought that it was the college student who had incurred the debts. Edgar Kennedy, owner of the town soda fountain, finds out the truth. Learning from the student that his brother was a good football player, he decides to help him. He permits the ne'er-do-well to live in his store—his bills would be paid if he would pose as the student, play in the football games, and stay away whenever his brother, the student, had to make an appearance at classes. The plan works, the college begins winning its football games, and everyone is delighted to find that studious Morris was such a fine athlete. Even Miss Dale is pleased. But she is puzzled, for it seemed to her she was in love with two men; the ne'er-do-well had met and fallen in love with her, and she was unaware that two different persons were paying court to her. The ne'er-do-well, having been ordered by gamblers to throw the final important game, decides to run away. Kennedy tells Miss Dale everything. She urges the studious Morris to go into the game; he is knocked out at the very beginning, but the ne'er-do-well takes his place and wins the game. Together, the two brothers beat up the gamblers. The student and Miss Dale marry; not until his wife gives birth to twins does Morris learn that she knew about his twin brother.

Robert Pirosh wrote the original screen play; H. Bruce Humberstone directed it, and Anthony Veiller produced it. In the cast are Frank Burke, Lillian Cornell, Jerome Cowan, Alan Mowbray, and others.

Suitability, Class A.

**"That Gang of Mine" with Bobby Jordan,
Leo Gorcey and Clarence Muse**
(Monogram, September 23; time, 62 min.)

The juvenile trade may enjoy this program entertainment, for the "Dead End" kids go through their usual tricks; but it is doubtful if adults will have the patience to sit through it, since the story is infantile, and the action is slow-moving. It is only in the closing scenes that any excitement occurs, and even that is of the routine type of horse race. There is a romance between two minor characters that is unimportant:—

Bobby Jordan, one of a gang of East Side kids, wants to become a jockey. While playing in an unused stable, the gang is surprised to find the place occupied by Clarence Muse, an impoverished negro; he had arrived with his Kentucky race horse in order to enter it in a few races, but his funds had run out. The boys induce the father of their one wealthy friend to finance the training and showing of the horse; and Gorcey undergoes rigid training to become the jockey. Excitement prevails on the day of the horse's first race, for they all felt certain that the horse would win. But Gorcey, who had lost his nerve, holds back the horse, causing it to lose. He pleads with the backer and every one else to give him another chance and they agree to do so. But Muse realizes that the boy did not have the makings of a real jockey. The horse is entered in an important race. A gangster, who had bet on another horse, sets fire to the stable of Muse's horse; but the boys save Muse and the horse. Gorcey suddenly realizes that it meant more to him to have the horse win than to become a jockey, and so he persuades a real jockey to ride the horse. To everyone's joy the horse wins, and Gorcey is congratulated by all for having been a good sport.

Alan Whitman wrote the story, and William Lively, the screen play; Joseph H. Lewis directed it, and Sam Katzman produced it. In the cast are Dave O'Brien, Joyce Bryant, Donald Haines, David Gorcey, and Sunshine Sammy Morrison.

Suitability, Class A.

**"Knut Rockne—All American"
with Pat O'Brien, Gale Page
and Donald Crisp**

(Warner Bros., October 5; time, 97 min.)

Very good! It is the first football picture produced without any "hokum"; it shows how teams are developed and what the game means to both players and coach. Moreover, it has deep human appeal, for, in depicting the life of Knute Rockne, the screen play writers have shown his qualities as a real human being in addition to his talents as a football coach; the picture it presents of him should serve as an inspiration to all young folk. The romance is minimized, yet one has the feeling that there was deep understanding and love between Rockne and his wife. The football scenes should prove thrilling to all:—

In the year 1892, Rockne's father leaves Norway with his family to settle in America. Rockne becomes a real American boy, showing a love for football at an early age. Since the family was poor, Rockne had to work hard to save enough money to go to college. The happy day finally arrives when he is able to enter the University of Notre Dame. He and his roommate, Gus Dorais (Owen Davis, Jr.) become fast friends; they both join the football team and make history by their brilliant plays. Rockne, an exceptional chemistry student, attracts the attention of Father Julius Nieuwland (Albert Basserman), who offers Rockne the chance to serve as his assistant during the summer, but Rockne prefers working as a lifeguard with his friend Dorais, so that they might practice football plays. That summer Rockne meets Bonnie Skiles (Gale Page). After his graduation they marry. Rockne accepts a chemistry teaching post at the University, on the understanding that he could assist in coaching the football team. After a time Rockne decides to give up chemistry in order to devote all his time to football as head coach. Not only does he develop great players but brilliant strategy as well, and in a short time he becomes famous. He works very hard, refusing to take a vacation. At one time he is stricken with phlebitis and is compelled to direct his team from a wheel chair. His wife finally persuades him to go with her and the children to Florida. Receiving an urgent call to go California, Rockne decides to fly there, despite his wife's objections. The plane crashes and Rockne is killed. He is mourned by the greatest as well as the lowest.

Robert Buckner wrote the screen play, Lloyd Bacon directed it, and Hal B. Wallis produced it, with Robert Fellows as associate producer. In the cast are Ronald Reagan, John Qualen, Dorothy Tree, John Sheffield, and others.

Class A.

**"Margie" with Tom Brown, Nan Grey
and Mischa Auer**

(Universal, December 6; time, 59 min.)

A moderately entertaining program comedy with music. The story is silly; nevertheless exhibitors who cater to audiences that are not too exacting in their demands may fare well with this picture on a double-feature program, for it has breezy action, a few comical situations, and music. And the romance is pleasant:—

Nan Grey feels that her husband (Tom Brown) was wasting his time working as a collector for a piano company, for she knew he had talent as a song writer. After a quarrel, they part. Miss Grey tries to sell a radio script she had written, but meets with failure. She then meets Mischa Auer, a South American banana king, and learns that he wanted to sponsor a radio program; she realizes her chance had come. With Auer as her sponsor, Miss Grey has no trouble in selling her script. Brown, in line with his duty as a collector, calls on Miss Grey for her overdue payments; he learns about her good fortune. Joy Hodges, a singer, hears a song written by Brown; she likes it so well that she takes it to the head of a music publishing house. He promises to publish it. In the meantime, Auer, learning that Miss Grey was married, is enraged and insists that she obtain a divorce and marry him. Complications naturally arise, for Miss Grey still loved Brown. But everything is finally adjusted—Miss Hodges presents Brown with a check as advance royalty for the song he had composed. Miss Grey and Brown are reconciled; it is agreed that Brown should write the music for her radio script. Auer transfers his affections to Miss Hodges.

Scott Darling and Erna Lazarus wrote the story and screen play; Otis Garrett and Paul Gerard Smith directed it, and Joseph G. Sanford produced it. In the cast are Edgar Kennedy, Allen Jenkins, Eddie Quillan, Wally Vernon, and others.

Suitability, Class A.

"Before I Hang" with Boris Karloff

(Columbia, September 17; time, 62 min.)

This horror melodrama should go over with the followers of pictures of this type; but the general run of audiences may find the action repellent, for a character for whom one feels sympathy is suddenly turned into a maniacal murderer. What makes it even more unpleasant is the fact that the persons he kills are all friendly towards him. To add to the gruesomeness, one is shown how he proceeds to kill his victims. Such entertainment is bad for children, and even for some adults:—

Boris Karloff, a well-known doctor, is sentenced to death for having committed a mercy killing. His only regret is that he had not completed his research work in connection with a serum that would give renewed energy to old people. The warden and the prison doctor, feeling sympathy for Karloff, arrange for him to continue with his work until the day of the execution. Needing blood for the serum, the prison doctor agrees to take some from a prisoner, a habitual murderer, who was to die. Karloff, claiming that, since he had to die, insists that the doctor inject the serum into him, to test the experiment. It works; Karloff changes from a weak old man into a middle-aged vigorous one. To his joy he learns that his sentence had been commuted to life imprisonment; that meant he could go on with his work. While working with the prison doctor, he is taken with a sudden urge to kill; he strangles the doctor to death. A prisoner enters, sees what had happened, and starts fighting with Karloff; Karloff kills him, but receives severe injuries himself. He loses consciousness; when he awakens he cannot remember anything. Everyone believes that the prisoner had been the murderer and that Karloff had killed him in self defense. Karloff is given a pardon. He tries to induce several of his elderly friends to undergo the treatment, but they refuse. The urge to kill comes over him again, and he realizes that the blood of the murderer used in the serum had worked an evil effect on him. He kills two of his friends. Feeling that he would cause more harm, he voluntarily goes back to prison.

Karl Brown and Robert D. Andrews wrote the story, and Mr. Andrews, the screen play; Nick Grinde directed it. In the cast are Evelyn Keyes, Bruce Bennett, Edward VanSloan, and others.

Not for children or adolescents. Adult fare. Class B.

"Dulcy" with Ann Sothern, Ian Hunter and Roland Young

(MGM, October 4; time, 73 min.)

This is the third time this story has been filmed—first in 1923, with Constance Talmadge as the star, and then again in 1930, under the title "Not So Dumb," with Marion Davies as the star. For present-day audiences it is just mildly amusing program fare; it holds one's attention mainly because of the good performance by Ann Sothern, in the part of the silly interfering heroine, who tries to help others. There are a few slapstick situations that provoke laughter; one of the most comical scenes is that in which the heroine, while driving a speed boat, knocks over and causes damage to every one on the lake. The romance is pleasant:—

Miss Sothern, kind but slightly "dumb," tries to help everybody but usually ends up by causing them trouble. While on her way to the dock to meet her brother's fiancee (Lynne Carver) and the girl's father and mother (Roland Young and Billie Burke), Miss Sothern accidentally becomes acquainted with Ian Hunter, an inventor. Having fallen in love with Hunter, she wants to help him sell his latest invention—a gadget for plane engines which permitted the use of low-test gasoline. She hits upon an idea. Since she was having Miss Carver and her parents as her week-end guests at her country lodge, she decides to invite also Hunter, for she knew that Young was the head of a large aeroplane factory, and she feels certain that she could interest him in Hunter's invention. But everything goes wrong; whatever she does only tends to make Young more irritable. He is enraged when she shows him the invention, for, by mistake, she had removed the gadget causing the oil to spurt into his face. He orders his wife and daughter to pack, and forbids his daughter's marriage to Miss Sothern's brother. But Young finally realizes the worth of the invention and buys it. Miss Sothern and Hunter are overjoyed and plan to marry.

The plot was adapted from the stage play by George S. Kaufman and Marc Connelly. The screen play was written by Albert Mannheimer, Jerome Chodorov, and Joseph A. Fields; S. Sylvan Simon directed it, and Edgar Selwyn produced it. In the cast are Reginald Gardiner, Dan Dailey, Jr., and others.

Suitability, Class A.

"Night Train" with Margaret Lockwood and Rex Harrison

(20th Century-Fox, October 18; time, 92 min.)

This British-made espionage melodrama is a pretty exciting fare. Set against the present war background, with the locale shifting from Germany to England, the action is fast moving and, even though far-fetched, it is for the most part exciting. In spite of the fact that the picture was produced in England and naturally favors the British, it does not resort to too much propaganda; it concentrates instead on the melodramatic angle. There is also some good comedy; it is handled by two droll characters who worry more about losing their golf clubs than about the fact that their country is at war. The romance is developed in a natural way:—

James Harcourt, a Czech scientist, is ordered by his government to leave immediately for England, for they expected the Nazis to invade their country at any moment and did not want them to get a new invention of Harcourt's that was important to modern warfare. Harcourt telephones his daughter (Margaret Lockwood) to join him at the airport; but before she could do so she is arrested by the Nazis; her father leaves by himself. She is sent to a concentration camp; there she meets another prisoner (Paul vonHernreid), who wins her sympathy by the mistreatment he receives at the hands of the Nazi officials. Together they escape. Miss Lockwood does not know that he was a Nazi spy, and that the escape had been pre-arranged. His purpose was to find, through her, her father. His plan works; despite the efforts of Rex Harrison, a British agent who had been assigned to watch over Harcourt, vonHernreid captures both father and daughter and takes them back to Berlin. Feeling he was to blame for the whole affair, Harrison offers to risk his life to save them. He receives government permission. He goes through with his daring scheme, and by posing as a German officer comes in contact with the important officials who take him to the scientist. He takes both the scientist and his daughter under his charge and is almost successful in getting them out of the country when vonHernreid learns the truth. But Harrison had been warned by two Englishmen who had overheard a telephone conversation; they offer their services. Together they all manage, after many thrills, to get to Switzerland.

Gordon Wellesley wrote the story, and Sydney Gilliat and Frank Launder, the screen play; Carol Reed directed it, and Edward Black produced it. In the cast are Basil Radford, Naunton Wayne, and others.

Not for children. Class B.

"Diamond Frontier" with Victor McLaglen, John Loder and Ann Nagel

(Universal, October 4; time, 71 min.)

Just a moderately entertaining program melodrama. Discriminating audiences will find the far-fetched plot hard to take. Its appeal should be directed just to those who, regardless of story values, enjoy melodramatic action, for the second half has a few exciting situations. One is in sympathy with the hero, who is victimized by the villains, but that is not enough to hold one's interest throughout. There is a romance. The action takes place in South Africa, starting in 1870:—

Having completed his medical training, John Loder returns to his home town at Ammersrand, South Africa, and is surprised when he finds the village in a state of excitement. His sweetheart (Ann Nagel) explains that there had been a diamond strike and every one was trying to get a claim. Lawlessness reigns. Victor McLaglen and his henchman (Philip Dorn), the two most vicious characters in town who thought nothing of killing men and stealing their diamonds, feel that Loder was wise to them and would cause trouble. They frame him by hiding in his office diamonds that had belonged to a man they had murdered. Loder is arrested, tried, and sentenced to ten years imprisonment in a penal colony. After seven years of imprisonment, Loder, with the help of another prisoner (Siegfried Arno) escapes. Arno knowing that he could not hold out, tells Loder where he had hidden a fortune in diamonds; he dies. Loder wanders through the jungle; he collapses at the hut of a trader (Cecil Kellaway). After a rest, the two men set out together, find the diamonds, and establish themselves as wealthy diamond traders. They go back to Ammersrand; Miss Nagel alone recognizes Loder. She helps him in his plan to force the villains to clear his name. Loder finally accomplishes this; the villains die in the very traps they had set for Loder. Loder and Miss Nagel are united.

Edmund L. Hartman and Stanley Rubin wrote the original screen play; Harold Schuster directed it, and Marshall Grant produced it. In the cast are Francis Ford, J. Anthony Hughes, Ferris Taylor, and others.

The shootings make it unsuitable for children. Class B.

can improve decidedly only by the elimination of block-booking and blind-selling. This view is now corroborated by a trade paper publisher who lives in Hollywood and has an opportunity to study the feelings and beliefs of the producers.

* * *

A GREAT IMPROVEMENT in the consent decree would be not to limit the number of pictures a producer may sell in a single group, provided he does not compel the exhibitor to buy all or none. A change of this kind will remove the psychological fear of many exhibitors, who dread seeing the system of selling pictures changed. The groups the exhibitors will be able to buy will at no time be more than five, because no producer will be willing to hold out for a greater number of pictures in a single group before offering them to the exhibitor, except, perhaps, at the beginning of the season when the producer may have as high as ten pictures. So on that score, the change will have no different effect, except that the exhibitor's fear will be removed.

Incidentally, many exhibitors are now opposed to the consent decree because it does not give them the right to cancel pictures they don't want. But they are overlooking the fact that they are not under any obligation to buy all five of the group, if one or two of the pictures do not measure up to the quality standard they maintain. If the distributor will set a price for the three or the four pictures out of proportion to the price for the whole group, what do you think the Department of Justice will do? Why has the Department reserved the right to police the consent decree?

PICTURES NOW IN PRODUCTION

Columbia

"ELLERY QUEEN," appraised in last week's issue as "John Braun's Body."

Metro-Goldwyn-Mayer

"GALLANT SONS," with Jackie Cooper and others. It was appraised in last week's issue as "Fighting Sons."

RKO (Radio) Pictures

"DEBUTANTES, Inc," with Kay Francis, Jimmy Ellison, Nigel Bruce and others, produced by Cliff Reid. Program.

BOX OFFICE PERFORMANCE

Columbia

The previous box office performances of Columbia pictures were published in the August 31 issue:

1939-40 Season

"I Married Adventure": Fair-Poor.
"Blondie Has Servant Trouble": Good-Fair.
"Lady in Question": Fair.
"Secret Seven": Fair-Poor.
"He Stayed for Breakfast": Very Good-Good.
"Five Little Peppers in Trouble": Fair-Poor.
"Before I Hang": Fair-Poor.

Forty pictures have so far been released excluding nine westerns. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 1; Very Good, 1; Very Good-Good, 1; Good, 2; Good-Fair, 4; Fair, 10; Fair-Poor, 14; Poor, 7.

First National

The previous box office performances of First National pictures were published in the August 31 issue:

1940-41 Season

"No Time for Comedy": Very Good-Fair.

Metro-Goldwyn-Mayer

The previous box office performances of Metro-Goldwyn-Mayer pictures were published in the August 31 issue:

1939-40 Season

"Pride and Prejudice": Very Good-Poor.
"I Love You Again": Very Good-Good.
"Golden Fleecing": Fair-Poor.
"Boom Town": Excellent-Very Good.

Forty-nine pictures, excluding "The Stars Look Down," have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent, 1; Excellent-Very Good, 3; Excellent-Good, 3; Excellent-Fair, 2; Very Good-Good, 5; Very Good-Fair, 1; Very Good-Poor, 1; Good, 2; Good-Fair, 15; Good-Poor, 2; Fair, 4; Fair-Poor, 9; Poor, 1.

1940-41 Season

"Dr. Kildare Goes Home": Good-Fair.
"Wyoming": Good-Fair.
"Haunted Honeymoon": Fair.

Paramount

The previous box office performances of Paramount pictures were published in the August 31 issue:

1939-40 Season

"Comin' Round the Mountain": Fair-Poor.
"The Great McGinty": Good-Fair.

Fifty-one pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Very Good, 1; Very Good-Good, 2; Very Good-Fair, 4; Very Good-Poor, 1; Good-Fair, 9; Good-Poor, 6; Fair, 11; Fair-Poor, 14; Poor, 3.

1940-41 Season

"Rhythm on the River": Good-Fair.
"I Want a Divorce": Good-Fair.
"Rangers of Fortune": Good-Fair.

RKO

The previous box office performances of RKO pictures were published in the September 7 issue:

1939-40 Season

"Queen of Destiny": Fair-Poor.
"One Crowded Night": Fair-Poor.
"Ramparts We Watch": Good-Poor.
"Stranger on the Third Floor": Fair-Poor.
"Dance Girl Dance": Good-Fair.
"Wildcat Bus": Fair-Poor.
"Lucky Partners": Good-Fair.
"Triple Justice": Poor.

Fifty-one pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Good, 2; Excellent-Fair, 1; Very Good-Good, 2; Very Good-Fair, 2; Good-Fair, 5; Good-Poor, 6; Fair, 8; Fair-Poor, 21; Poor, 4.

1940-41 Season

"Men Against the Sky": Fair-Poor.

HARRISON'S REPORTS

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Vol. XXII

SATURDAY, OCTOBER 19, 1940

No. 42

HERE AND THERE

THE EXECUTIVES AND EMPLOYEES of National Screen Service are giving Herman Robbins, president of the company, a sort of "surprise party" in the form of a twentieth anniversary testimonial for his having been with National Screen for that length of time. They started a drive on September 16; it will last until January.

Herman Robbins is an unusual person; once you know him you cannot help becoming his friend, for he is kindly, generous and charitable in his feelings towards everybody. Perhaps the best way to describe him is to say that he is a "good sport."

Immediately after he joined National Screen he realized how important trailers were for pulling people to the box-office and set out to improve them. And the first improvement he made was to include in the trailers actual scenes from the picture. He realized also that, in order to induce every exhibitor to use trailers, the rental price of them had to be within the reach of every exhibitor's pocketbook. Today the trailer service costs the exhibitors one-half of what it used to cost them originally. He is now trying to do with accessories what he did with trailers.

HARRISON'S REPORTS thanks Herman Robbins for the fair treatment he has given to the exhibitors, and congratulates the executives and employees of National Screen Service for their happy thought of celebrating his twenty years with the company.

* * *

ELSEWHERE in this issue there is reproduced a letter from Robert B. Wilby, of Atlanta, Georgia; it is in answer to the criticism of a letter of his, which appeared in the August 17 issue of *Motion Picture Herald*, and which was criticized in the September 28 issue of HARRISON'S REPORTS.

Mr. Wilby acknowledges, of course, that nowhere in the wording of the consent decree is there anything that compels the exhibitor to review the pictures before buying them but he still insists that tradeshowing the pictures before selling them will cost considerable money, in that it will tie up big capital in pictures that are already made.

Mr. Wilby again is wrong; capital will be tied up very little more than it is tied up now, for the simple reason that each studio has more than one stage and can produce as many pictures at one time as there are stages available. Even the smallest majors have several stages.

But even if we were to assume that what Mr. Wilby says is correct, the system of showing the pictures before selling them will be of immense benefit to the exhibitor, not only because he will see what he will be buying before signing a contract, but also by the improvement in the quality of the pictures.

Can any one doubt that there will be an improvement in the quality of the pictures when the producers are compelled to show their wares before offering them for sale?

As to his objection that, under the five-picture plan, the exhibitor will not have a chance to reject meritless pictures, let me say that this objection, too, is flimsy. What will stop the exhibitor from rejecting from the group any picture that he thinks is objectionable, either to his public or to his box-office? The plan of grouping a maximum of five pictures does not mean that the exhibitor must buy the entire group—he is under no compulsion to buy more than one picture of the group.

His argument that the producer will put four bad pictures with a good one with the purpose of selling the bad pictures can work to the producer's disadvantage as much as to his advantage, for the exhibitor can use the poor pictures as a club to beat down the price of the good picture.

* * *

CHARLIE EINFIELD, of Warner Bros., must feel inward satisfaction at the success he has had with the premiere of "Knute Rockne—All American," at South Bend,

Indiana, last week. He pulled people from almost every state in the union. As a matter of fact, the streets of South Bend were jammed with people. Every hotel in the city was so filled that many residents had to invite visitors to occupy their spare rooms. And the crowds were in a festive mood.

Premieres of this kind do much good to the entire industry, for they help to create good will. And certainly the industry needs good will, particularly now when the producers have to depend on the home market almost entirely.

HARRISON'S REPORTS congratulates Mr. Einfield for the masterly manner with which he handled this premiere.

ALLIED STATES ASSOCIATION OF
MOTION PICTURE EXHIBITORS
"729 Fifteenth Street, N.W.
Washington, D. C.

October 12, 1940.

"In re: Consent Decree"

"It would clear the air if the very vocal opponents of the proposed consent decree would state definitely the grounds of their opposition.

"If they will state that it is based wholly upon the 5-picture plan, then all exhibitor groups and public groups will stand on common ground.

"Certainly no exhibitor organization has made more vigorous representations against the plan than Allied.

"According to the San Francisco Chronicle for September 9, Dr. Ray Lyman Wilbur, head of the Motion Picture Research Council, the clearing house for the public groups on motion picture affairs, has wired the Attorney General a vigorous protest against the plan.

"There is, therefore, no issue so far as the 5-picture plan is concerned except as between the exhibitor and public groups, on the one hand, and the Department of Justice and the five consenting defendants, on the other.

"Mr. Kuykendall believes that all differences should be settled within the industry. He should be closer to the five consenting defendants than any other exhibitor. Why doesn't he persuade them not to consent to the plan? That would settle the issue at once.

"Allied would like to know how Messrs. Kuykendall and Brandt stand on other provisions of the decree.

"As president of M.P.T.O.A., which includes the affiliated circuits in its membership, how does Mr. Kuykendall stand on the provisions aimed at curbing chain buying power?

"As head of a large buying combine, how does Mr. Brandt stand on the provisions which are aimed at curbing the buying power of the combines?

"Also, these men should state their position on the clear-cut provision against forcing short subjects and newsreels; the provision for leasing pictures within the exchange district; the provision for making pictures available on some run; the provision for arbitrating clearance disputes; the remedy for discriminating in favor of circuits and buying combines; the limitation on the acquisition of theatres and the escape clause.

"Are they for or against these provisions?

"Mr. Kuykendall has indicated that he is against all Government interference. After all the years of futility and frustration, does he think that the relief embodied in the above-mentioned provisions will be forthcoming by voluntary action of the distributors and the circuits?

"Mr. Brandt at the hearing on the Neely Bill declared that the worst evil of the business was domination by the affiliated theatres. Does he now object to relief against such domination because buying combines have been put in the same category with the circuits?

(Continued on last page)

"They Knew What They Wanted" with Carole Lombard, Charles Laughton and William Gargan

(RKO, October 25; time, 96 min.)

Made twice before, in 1928 as "The Secret Hour," and in 1930 as "A Lady to Love," this third version has not benefited either by lapse of time or by plot alterations. One wonders why RKO should have chosen so sordid a story for two such stars as Carole Lombard and Charles Laughton, both of whom are out of place in their respective roles. It will prove a disappointment to the Lombard fans, for not only does she wear unattractive clothes, thus appearing at a disadvantage, but she is made to fall in love with Charles Laughton, who surely does not typify the ideal lover to the average American girl. Garson Kanin, a capable director, did the best he could with the material, and the performances are good, but the story is unpleasant:—

Laughton, an Italian grapegrower in Napa Valley, California, goes to San Francisco on a vacation. While at a restaurant, he notices Miss Lombard, one of the waitresses and, for him, it is love at first sight. When he returns home, he begs his foreman (William Gargan) to write a letter to Miss Lombard for him. She answers him and the correspondence continues until he finally proposes marriage; he sends her a picture of Gargan, for he feared that, if she saw what he looked like, she would not marry him. Tired of her hard life, she accepts him; but she is disappointed when she arrives and learns it is Laughton and not Gargan she was to marry. Laughton is so kind to her that she agrees to go through with the marriage. The night before the wedding, Laughton meets with an accident, breaking both his legs. The wedding is naturally postponed. Miss Lombard is worried—she and Gargan were attracted to each other and both knew it. She tries to fight it off, but one night she succumbs to Gargan. Afterwards she is so disgusted with herself as well as with Gargan, that she warns him to keep away from her. She gives her attention to Laughton, who, in time, recovers. The wedding date is set; but Miss Lombard discovers that she was going to have a baby. Gargan is horrified, for she meant nothing to him; he runs away. Contrite, he returns and offers to marry her, but she refuses. It is then that Laughton learns the truth. He is heartbroken; he beats Gargan, who takes the punishment without a word. But he pleads with Miss Lombard to stay with him and marry him; he promises to love her child. But she decides to go away for a time; she promises to return some time in the future.

Robert Ardrey wrote the screen play from the stage play by Sidney Howard; Erich Pommer produced it. In the cast are Harry Carey, Frank Fay, Janet Fox, and others.

Not for children or adolescents. Adult fare. Class B.

"A Little Bit of Heaven" with Gloria Jean, Robert Stack and Nan Grey

(Universal, October 11; time, 86 min.)

Good! Where "The Underpup" did well this, too, should go over, for it continues where the other left off. The story is lightweight, but the music is good—Gloria Jean really has a remarkable voice, and a charming personality. There is plentiful comedy, handled by a competent cast; and a pleasant romance:—

Gloria is happy; she loved her family, had many friends, and was given free singing lessons by Billy Gilbert, a restaurant owner. While watching a street broadcast conducted by Robert Stack and Stuart Erwin, Gloria is asked to do something; she sings. Stack and Erwin are so impressed that they try to induce their employer (Eugene Pallette) to give the girl a contract, but he refuses; but he changes his mind when the sponsor telephones him, demanding that Gloria appear on the program steadily. Pallette then orders Stack to get Gloria under contract. But Stack finds it difficult to do so, for although the family, consisting of father (Hugh Herbert), mother (Nana Bryant), sister (Nan Grey), and uncle (Frank Jenks), thought that radio work was wonderful, the grandfather (C. Aubrey Smith), head of the family, was set against it. He finally succumbs. Gloria is an overnight hit and the money begins rolling in. The family move to a ritzy neighborhood, make new friends, and assume manners that annoy both Gloria and her grandfather. Things come to such a pass that they even refuse to invite Gloria's old friends to her birthday party. Gloria decides to teach her family a lesson: Just before an important concert, she pretends that she had lost her voice. This makes them come to their senses. She "recovers" in time for the concert, which the family and all the old friends attend. Stack and Miss Grey are united.

Grover Jones wrote the story, and he, Daniel Taradash and Harold Goldman, the screen play; Andrew Marton directed it, and Joe Pasternak produced it. In the cast are Butch & Buddy, Tommy Bond, and others. Class A.

"Angels over Broadway" with Douglas Fairbanks, Jr., Rita Hayworth, Thomas Mitchell and John Qualen

(Columbia, September 30; time, 79 min.)

The appeal of this drama, which has good direction and acting, will be directed mainly to audiences in large cities; the story is a little different and the dialogue is sparkling. But, as far as the masses are concerned, the action, except for the closing scenes, is slow-moving, and the characters are not of the type to awaken sympathy. One of the characters spouts philosophical thoughts throughout most of which will be lost on the general run of audiences. The story is not very cheerful; the only note of happiness is sounded in the end, when the young couple realize that they are in love with each other:—

John Qualen is desperate; his partner (George Watts) had discovered that he had robbed the firm of \$3,000 and had threatened him with arrest unless he could replace the money the following day. Having decided to kill himself, he writes a note explaining that no one was to blame for his suicide, and puts it in his pocket. He then goes to a night club. Douglas Fairbanks, Jr., a shady character, notices Qualen giving big tips to every one and, thinking that he was a wealthy out-of-towner, telephones a group of crooked gamblers, offering to bring Qualen to a game if they would give him a share of the profits; they agree. Fairbanks asks Rita Hayworth, an out-of-work chorus girl, to help him get Qualen to the hotel. Thomas Mitchell, a drunken playwright, accidentally finds the suicide letter. Learning that Qualen had stolen the money for his wife, who in turn had handed it over to another man, Mitchell feels sorry for him. He himself had left his wife for another woman, who had stripped him of his wealth and thrown him over. Fairbanks is shocked when he learns Qualen had no money. Mitchell and Miss Hayworth induce Fairbanks to help Qualen. They knew that the gamblers would permit Qualen to win at first as a "come-on." As soon as he would win \$3,000, he was to excuse himself and run away. The plan works, and Qualen gets away. The gamblers get wise and beat up Fairbanks; they try to get Qualen but the police step in and protect him. Mitchell goes back to his wife, and Fairbanks and Miss Hayworth are united.

Ben Hecht wrote the story and directed and produced it. Mr. Fairbanks was associate producer. Ralph Theodore, Eddie Foster, and others are in the cast.

Not for children or adolescents. Adult fare. Class B.

"Too Many Girls" with Lucille Ball and Richard Carlson

(RKO, November 1; time, 84 min.)

This musical, set against a college background, is pretty good entertainment. Its appeal, however, should be directed mostly to the young folk, who will appreciate the tuneful songs, peppy dancing, and light comedy touches; but adults may find it a bit wearisome since the story is light, and the action at times slow-moving. The trouble is that stage technique has been employed in the direction. As a result, the action is somewhat stilted, particularly when the characters get ready to sing a song. The individual performances are good, and a few newcomers show promise:—

Wealthy Harry Shannon, surprised when his globe-trotting daughter (Lucille Ball) indicated a desire to go to a small mid-western college, comes to the conclusion that there was something behind her decision. He makes a proposition to four young college men (Richard Carlson, Hal LeRoy, Eddie Bracken, and Desi Arnaz)—if they would switch to the small college chosen by his daughter and act as bodyguards without divulging their mission to her, he would pay them each fifty dollars a week; they accept. The contracts contain an anti-romantic clause, which meant that none of them could make love to Miss Ball. When they arrive at the college, Carlson soon discovers why Miss Ball had chosen the place: an artist she knew was spending a vacation nearby and she wanted to see him. Thinking that the reason Carlson followed her about was because he had fallen in love with her, Miss Ball begins to take notice of him, and soon they are in love with each other. But Carlson's three friends were worried—it meant that their contracts would come to an end, and Carlson's romance was taking his mind off football. Miss Ball eventually finds out about the four men; she is so angry that she orders them, as her bodyguards, to leave with her, on the eve of an important game. But she changes her mind and permits them to play. She forgives Carlson and they are united.

John Twist wrote the screen play from the stage play. George Abbott directed and produced it. In the cast are Ann Miller, Frances Langford, Libby Bennett, Douglas Walton, and others.

Suitability, Class A.

"Wagon Train" with Tim Holt

(RKO, October 4; time, 59 min.)

If the pictures to follow this first one in the Tim Holt westerns are as good, the series should become popular. Holt is not yet as strong a personality as was George O'Brien, but he should develop, for he is a good actor, and is physically well suited to western roles. There is plentiful action and excitement of the kind enjoyed by western fans; in addition, there is a pleasant romance, some music, and a little comedy:—

The trading post at Pecos was owned by Cliff Clark and his son (Malcolm McTaggart), who schemed to obtain control of Holt's wagon train with which he hauled supplies to Pecos so that they could get a hauling monopoly and rule the territory. McTaggart awaited the arrival of Martha O'Driscoll, a young easterner, whom he was planning to marry. On the way she meets Holt, and they fall in love with each other. Holt gives Miss O'Driscoll an amulet, presented to him by an Indian chief, as a protection in case of an Indian attack. McTaggart and his father set out to join their gang in a plan to attack Holt and kill him and his workers. When Holt arrives at the point where he was to meet Miss O'Driscoll, he finds that everyone had been attacked except Miss O'Driscoll; the only other person alive was Clark, who had stopped to see Miss O'Driscoll. Clark joins Holt's party. A man in Holt's outfit, who had been working with Clark, learns that the people in Pecos were without food, and that they would starve if Clark carried out his plan. He quarrels with Clark, and is shot; but before he dies he tells Holt about Clark's plans, and also that Clark was the man who had killed his father. Holt forces Clark to ride out with a white flag so as to stop his men, who were set to attack Holt, from carrying out their plans. Clark's son, thinking it was Holt who was riding out, shoots and kills his own father. Holt's men finally overcome the gang, and rush the food to Pecos. McTaggart is arrested. Holt and Miss O'Driscoll plan to marry.

Bernard McConville wrote the story, and Morton Grant, the screen play; Edward Killy directed it, and Bert Gilroy produced it. In the cast are Ray Whitley, Emmett Lynn, Ellen Lowe, and others.

Not for children because of the killings. Class B.

"The Long Voyage Home" with John Wayne, Thomas Mitchell and Ian Hunter

(United Artists, November 22; time, 103 min.)

A powerful picture, directed with skill and acted with artistry. It is certain to go over with class audiences, for it is a picture that is unusual in content and exceptional in production values, particularly as regards the photography. Yet for all its virtues, it is doubtful if it will have wide mass appeal, since it has no romance, and, with the exception of two scenes, has no women in the cast. Moreover, it is really a man's picture, for what it presents is stark realism, and as such it is at times a bit depressing, even though the action is interspersed with some good comedy sequences. The situation that shows the steamer attacked by a German bomber is thrilling.

The story revolves around a group of seamen aboard a tramp freighter, loaded with a cargo of ammunition, sailing from the West Indies to England. Thomas Mitchell, a tough fight-loving Irishman, is accepted by the crew as a leader. One of the sailors (Ward Bond) is injured seriously doing a heroic act during a storm. One of the seamen (Ian Hunter), a quiet man who kept to himself, is suspected of being a spy. One night, the men tie him up and open a tin box he carried with him. To their surprise they find not secret messages but letters from Hunter's wife telling of his fall from a high position because of drink, and are ashamed of themselves. Just as they neared England, they are attacked by a German bomber. Hunter is killed; but the ship manages to get safely to port. The men leave, asserting that they would not return, but the Captain knows differently. They decide to celebrate the fact that John Wayne was going back home with enough money to buy a farm and take care of his mother. A terrific battle ensues when a rival ship tries to shanghai Wayne. They get him safely on his way home, but Mitchell is knocked out and shanghaied. The men are unhappy when they later read that the ship had been torpedoed and sunk.

The plot was adapted from stories by Eugene O'Neill. Dudley Nichols wrote the screen play, John Ford directed it, and Walter Wanger produced it. In the cast are Barry Fitzgerald, Joseph Sawyer, J. M. Kerrigan, and others.

Class A.

"Dancing on a Dime" with Robert Paige and Grace McDonald

(Paramount, November 1; time, 74 min.)

This is a pleasant back-stage picture, with music, comedy, and romance. Although the production and the lack of star names limit it to program grade, it should please audiences generally, for the players are young, the songs are catchy, and the action is breezy. Peter Hayes, who has appeared in a few other pictures, should go over with audiences because of his excellent impersonations. None of the other players are particularly outstanding, but together they manage to work well:—

The night before the opening of the W.P.A. play directed by Robert Paige, the players receive notice that the government had abandoned the theatre project, and are despondent; a few get jobs at some place else. William Frawley, caretaker of the theatre, sympathizes with Paige and offers to put him up at the theatre, suggesting that he look around in the store room for a bed and other necessities. Before the day is over Frawley gives his consent to Paige's three friends (Eddie Quillan, Frank Jenks, and Peter Hayes) to live at the theatre with Paige. Grace McDonald wanders into the theatre. She begs the boys for a chance. When she is told of the state of their finances, she confesses that she, too, was broke. Frawley puts her up. She and Paige fall in love with each other. One day they accidentally come upon a roll of bills that had been hidden in the piano. They are overjoyed, thinking that they could now put the show on. Miss McDonald takes one of the bills to buy groceries. While she is gone, Jenks returns and tells them that it was counterfeit money. But they hit upon a scheme—they decide to bluff their way to obtaining credit by leaving the counterfeit money as deposit, which they would replace with good money as soon as they sold tickets. The plan works, until the opening night, when a bank official, who had cashed the bill for Miss McDonald, recognizes her and calls the police. But the friends outwit him by replacing the bill with a good one; they replace also all the money they had left on deposit.

Jean Lustig and Max Kolpe wrote the story, and Maurice Rapf, Anne Morrison Chapin and Allen Rivkin, the screen play; Joseph Santley directed it. In the cast are Virginia Dale, Carol Adams, Lillian Cornell, and others.

Suitability, Class A.

"Down Argentine Way" with Don Ameche and Betty Grable

(20th Century-Fox, October 25; time, 88 min.)

A good musical with romance. The lavish production and the good technicolor photography are its prime assets. The story itself is lightweight, its purpose being to serve as a framework for the musical numbers; and as such it is satisfactory enough. The music and dancing are of the rhumba and conga type, which seem to be the rage now; both are handled well. There is some comedy, an exciting horse race at the finish, and a pleasant romance:—

Don Ameche, son of Henry Stephenson, head of a wealthy aristocratic Argentine family, goes to New York to sell some of the horses. At a horse show at which he exhibits a prize horse, Ameche meets Betty Grable, wealthy and beautiful; they are attracted to each other. He promises to sell her the horse, but learning that she was the daughter of his father's enemy, he calls the deal off, sells the horse to some one else, and then goes back to Argentina. Miss Grable is furious; she leaves for Argentina with her aunt (Charlotte Greenwood). She again meets Ameche. Explanations follow and they declare their love for each other. But Ameche introduces her to his father under an assumed name, hoping that his father would learn to like her and forget about his animosity towards her family. Ameche learns that his father's horse trainer (J. Carroll Naish) had been secretly training for flat racing Stephenson's favorite jumper. Knowing how determined his father was not to enter any of his horses in racing, Ameche scolds Naish; but Miss Grable convinces him that the horse was a born racer and should be so trained. They secretly train the horse, and enter it in a famous race. Stephenson learns about it and is ready to pull the horse, but, on Naish's advice, lets it enter. The horse wins and Stephenson is delighted. He gives his consent to the marriage.

Rian James and Ralph Spence wrote the story, and Darryl Ware and Karl Tunberg, the screen play; Irving Cummings directed it, and Harry Joe Brown produced it. In the cast are Carmen Miranda, Katharine Aldridge, Chris-Pin Martin, Charles Judels, Nicholas Brothers, and others.

Class A.

"The general counsel of Allied at Atlantic City and again at Jackson analyzed all provisions of the decree, pointing out their strengths and weaknesses. Will other exhibitor organizations join in an effort to eliminate the 'bugs' from other provisions or will they use the 5-picture provision as a weapon to attack the entire proposal?

"Do the tom-tom beaters in common with other exhibitor groups want to eliminate or revise the provision in reference to selling pictures and to strengthen the provisions against the oppressive use of buying power, or do they hope by muddying the water to prevent any relief against chain deprivations?

"The proposed remedy for discrimination contains conditions and limitations that hamper its effectiveness. We have not heard Messrs. Kuylendall and Brandt propose that these restrictions be removed.

"The provision to limit the acquisition of theatres by the producer-distributors contains serious loopholes. We have not heard those men propose that these be plugged up.

"Do not these blind opponents of the Neely Bill, who would not even cooperate in seeking amendments tending to make the bill more workable, feel that by such blind opposition they paved the way for the unwanted 5-picture plan?

"The independent exhibitors will not have a clear picture of the situation until these questions are answered by those to whom they are addressed. The trade press will perform a service to the exhibitors by helping to elicit such answers."

BOX-OFFICE PERFORMANCES

Twentieth Century-Fox

The previous box office performances of Twentieth Century-Fox pictures were published in the September 7 issue:

1940-41 Season

"Girl from Avenue A": Fair-Poor

"Return of Frank James": Good-Fair

"Pier 13": Fair-Poor

"Young People": Fair-Poor

"Charlie Chan at the Wax Museum": Fair-Poor

"Public Deb No. 1": Good-Poor

"Yesterday's Heroes": Fair-Poor

"Brigham Young": Very Good-Poor

Grouping these pictures in accordance with their ratings, we get the following results:

Very Good-Poor, 1; Good-Fair, 1; Good-Poor, 2; Fair-Poor, 5.

United Artists

The previous box office performances of United Artists pictures were published in the September 7 issue:

1940-41 Season

"South of Pago Pago": Good-Fair

"Captain Caution": Good-Fair

"Foreign Correspondent": Very Good-Good

"Kit Carson": Good-Fair

"Pastor Hall": Fair

Universal

The previous box office performances of Universal pictures were published in the September 7 issue:

1940-41 Season

"Argentine Nights": Good-Fair

"Leather Pushers": Fair-Poor

"Hired Wife": Very Good-Good

"The Fugitive": Fair-Poor

"The Mummy's Hand": Good-Fair

Warner Bros.

The previous box office performances of Warner Bros. pictures were published in the September 7 issue:

1939-40 Season

"River's End": Fair-Poor

"Money and the Woman": Fair-Poor

"Flowing Gold": Good-Fair

"Sea Hawk": Excellent-Good

Grouping the pictures from the beginning of the season in accordance with their ratings, we get the following results:

Excellent-Good, 1; Very Good-Good, 1; Very Good-Fair, 3; Good-Fair, 5; Good-Poor, 2; Fair, 1; Fair-Poor, 11.

PICTURES NOW IN PRODUCTION

Columbia

"LEGACY," with Warner Baxter, Ingrid Bergman, Fay Wray, directed by Gregory Ratoff. Mr. Ratoff is a good director and ought to make a good picture.

Metro-Goldwyn-Mayer

"COME LIVE WITH ME," with James Stewart, Hedy Lamarr, Ian Hunter, Verree Teasdale, directed by Clarence Brown. Good to very good.

Republic

"TEXAS TERROR," with Don Barry. Western.

"BARNYARD FOLLIES," with Mary Lee, Rufe Davis and others. Program—the story revolves around an orphanage in the country.

"BORDER LEGION," with Roy Rogers. Western.

RKO (Radio) Pictures

"LET'S MAKE MUSIC," appraised in last week's issue as "Let's Find a Song."

"THREE GIRLS AND A GOB," with George Murphy, Lucille Ball, and others, produced by Harold Lloyd and directed by Richard Wallace. A nice story, with some comedy and considerable human interest. It should make a good to very good picture, with the box office results depending on the degree of popularity of the leads.

United Artists

"CHEERS FOR MISS BISHOP," with Martha Scott, William Gargan, Edmund Gwenn, and others, produced by Richard Rowland and directed by Tay Garnett. It is the story of a school teacher, full of human interest, and since Mr. Garnett is a fine director he should make a very good picture with it.

Universal

"SAN FRANCISCO DOCKS," with Burgess Meredith, Irene Hervey, Robert Armstrong, and others, produced by Marshall Grant and directed by Arthur Lubin. Fairly good program.

"TRAIL OF THE VIGILANTES," with Franchot Tone, Mischa Auer, Andy Devine, Peggy Moran, Broderick Crawford, Warren William, and others, directed by Allan Dwan. A fine director and a good cast. The picture should turn out good to very good.

October 10, 1940.

"Mr. P. S. Harrison,
1270 Sixth Avenue,
New York, N. Y.

"Dear Mr. Harrison:

"Of course most of those questions you asked in the article which I am enclosing for reference are rhetorical, but anyway here goes:

"(1) Nothing compels the exhibitor to review the pictures at trade showings. It's physically impossible for a great number of them to do it. These trade showings, both directly and because of the increased tying up of capital, cost considerable money and accomplish nothing. That it's the distributor's money is beside the point—it's still expensive.

"(2) Strange as it may seem, I complain on the basis that the above provision is expensive for no purpose, whether it directly hurt me or not.

"(3) Don't call it 'good Samaritan'—call it a guy with a little bit of interest in a business in which he has been engaged for thirty years.

"(4) I honestly believe all of them.

"(5) The system is different from the present system by the amount of the present cancellation. If the cancellation be 10% then it's evident that the exhibitor does not have to play the worst 10% of anybody's pictures to get the remaining 90%. Under the proposed system there is no such cancellation and no segregation of poor pictures into the same group.

"(6) The statement goes for affiliated or independent exhibitors.

"(7) Forces more bad pictures by just the amount of the cancellation which exists in the present contracts. All the bad pictures are included in the total contract for a company in either case. Under the present system some of them can be cancelled—under the proposed system none.

"(8) No particular disadvantage to the exhibitor if the bad pictures were in fact segregated in groups of five, but if each five carries some good and some bad with it and you must buy the second to get the first, there's a disadvantage to the exhibitor.

"(9) As between the Neely Bill and this proposition, I take the Neely Bill. I am complaining about having to buy pictures one doesn't want in order to get the ones one does....

"How you could be for the Neely Bill and not against this thing is beyond my understanding. This has all the costs and inconvenience of the Neely Bill and hasn't the one advantage that the Neely Bill might have had, of complete individual choice of pictures. It looks to me like you are for all of the bad features of the Neely Bill which have been included in this one, even if you don't get probably the one good feature of the Neely Bill.

"And do you really believe that the distributors so greatly are opposed to the block of five selling?

"Yours,
"R. B. WILBY."

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HERE AND THERE

IN THE OCTOBER 5 issue I printed in these columns a letter from Mr. Earl J. Brothers, of Boulder City, Nevada, reciting his experience in the matter of admission prices to students.

In that letter, there was a reference to the present tax law, which compels the manager of an amusement enterprise to charge the same tax to children twelve years old or older as that which is charged to adults, even though a lower admission charge is made to these children.

It seems as if most exhibitors were unaware of the existence of such a provision in the tax law and some exhibitors have written to this office to get a confirmation of it.

I wrote to Mr. Myers, Allied counsel, and here is his reply:

"The requirement that an admission tax equal to the tax on adult admissions be exacted from all patrons over twelve, is still in force. Some exhibitors had the notion that if students between, say, 12 and 18, were assigned to a particular seating area they could be charged a lower admission within the tax exemption and thus escape the tax.

"I was confident that they were wrong about this, but in order to put the matter beyond doubt I asked for an official ruling by the Commissioner of Internal Revenue. I enclose a copy of this ruling which sets the matter at rest.

"Conversations at recent conventions indicated that some exhibitors still are in doubt on this subject and you might be rendering them a service by printing this ruling. [This ruling is reproduced elsewhere in this issue.]

"Your suggestion relative to a revision of the law will be borne in mind when the question comes up at the next Congress, as I believe it will."

In a private letter, Mr. Brothers asked me if I could not prevail upon other trade paper editors to make an appeal to the exhibitors to use their influence with their congressmen for a revision of the law so that school children, U. S. sailors, soldiers, and young men of the C. C. C. camps may be exempted from this tax when a lower than the regular admission price is charged to them.

HARRISON'S REPORTS appeals to the editors of this industry's papers to carry on an educational campaign to the end that this matter may be brought to the attention of Congress and acted upon favorably. It will help the business to have this tax eliminated from the classes of patrons referred to in the preceding paragraph.

* * *

INCIDENTALLY, IN HIS LETTER, which was published in these columns, Mr. Brothers mentions about a card he sends to every child upon his thirteenth birthday. As a result of this, he has been swamped with letters asking for more details.

To save other exhibitors from writing to him such letters, and to rescue Mr. Brothers from replying to them, I am reproducing the wording of that card:

"Congratulations and Best Wishes for a Happy Birthday to ... (name of boy or girl inserted in pen and ink) ...

"With the hope that it will add some joy to the occasion, you are invited to be our guest for any program during the next ten days. Please use this card for admission."

Then follow the name of the manager, and that of the theatre.

HARRISON'S REPORTS suggest that you go a little further than this in case you wish to adopt Mr. Brothers' system: invite also the parents of the boy or girl, by making the last sentence read as follows: "Please use this card for admission to your parents, as well as to yourself." By so doing you befriend, not only the boy or the girl, but also the parents. It is a simple and inexpensive courtesy, but one that is hardly forgotten, stamping you with them and with their friends and neighbors as a regular fellow for ever.

HARRISON'S REPORTS thanks Mr. Brothers on behalf of its subscribers for having brought this matter into the open.

* * *

IN THE SPEECH HE MADE at the Friday afternoon meeting of Allied Theatres of New Jersey on Friday, September 27, Abram F. Myers, Allied counsel, made the following comment regarding the exhibitors who object to the provision of the consent decree setting as five the maximum number of pictures that may be sold in one group:

"No one likes an upset in his routine or habits; persons accustomed to taking it easy do not like to be suddenly called back to work. The five-block plan will work a hardship on the exhibitor who likes to buy his pictures in the fall and then turn his theatre over to his manager for the remainder of the year. It will be bad news for the exhibitor who likes to spend his time at the broker's office instead of in his theatre. But to the exhibitor who devotes his entire time and energy to his business, who is competent to match wits with all comers, the outlook may not be so dark as it has been painted."

That is putting the question in a nutshell. It is not that the "tradeshowing before selling" plan will deprive the exhibitor of pictures; it is not that this system will cause a deterioration in the quality of the pictures; it is not that it will cause a shortage of pictures: it is that those who like to do their booking once a year and then go to Miami or to other resorts for the remainder of the year, or who like to spend their day at the ticker office, watching the ups and downs of the stock they are interested in, will be deprived of their privilege to do so.

(Continued on last page)

"The Great Dictator" with Charles Chaplin
(United Artists; rel. date not yet set; 125 min.)

"The Great Dictator" in all likelihood will make money for both exhibitors and producer, for it has received enough publicity to make every picture-goer curious about it. Besides, the public is just ripe for a Chaplin picture, for he has not produced one for a long time. But a controversy will arise as to its entertaining value, for it is not a comedy all the way through; it is rather a propaganda picture, depicting the cruel treatment that the Jews are receiving in Germany at the hands of the Nazis. There are spots in which Mr. Chaplin shows his old ingenuity. For instance, his imitation of Hitler, both in looks and in talk, is a piece of art—hardly any other actor from the present supply could have reached such perfection. The scenes that show Mr. Chaplin at the front as a bewildered soldier are highly amusing. Highly amusing are also the scenes that show Mr. Oakie impersonating Mussolini. But the tone of the whole picture is dramatic rather than comical: it is hard for the average person to laugh at the impersonation of Hitler, the man who has brought so much tragedy upon the world. In the very last scene, he steps out of character and, as Chaplin himself, makes an impassioned plea for a return to the decent way of life. This seems out of place. Mr. Chaplin for the first time speaks, in both characters—as the dictator and as the lowly barber.

A Jewish barber (Chaplin), having been in the hospital since the last World War, returns to his barber shop in the Ghetto unaware that a change had taken place in Germany. He does not understand why the Storm Troopers were painting "Jew" on his store window, and why they acted so brutally; he does not even know who the dictator Hynkel (also played by Chaplin) is. When he tries to resist, he is beaten. He receives sympathy from the other Jewish people, particularly from Hannah (Paulette Goddard), a poor Jewish girl who admired his spirit. In the meantime, Hynkel carries on his hate campaign against the Jews. There is a lull in the persecution for a time, when Hynkel tries to negotiate a loan with a wealthy Jew; but when it does not go through, he orders persecutions to start anew. The barber is saved from death by a German officer whose life he had saved in the last World War. The Jewish people decide to move on to another country in the hope of finding peace. But the dictator's troops had marched into the country. The barber himself tries to enter with the German officer who had escaped with him; there, because of his striking resemblance to Hynkel, he is mistaken for the dictator. The real dictator is arrested as the barber and imprisoned. The barber, dressed in the dictator's clothes, gets up to speak to the assembled throng, there to greet their leader. He makes his plea for kindness and tolerance. His speech is heard by Hannah, who feels there is now some hope for her people.

Charles Chaplin was the producer, director, and screen play writer. In the cast are Reginald Gardiner, Henry Daniell, Billy Gilbert, Grace Hayle, Carter deHaven, Maurice Moscovich, Emma Dunn, and others.

Class A.

"Thief of Bagdad" with Conrad Veidt, Sabu, June Duprez and John Justin
(U. A.-Korda; rel. date not yet set; 108 min.)

An excellent picture of its kind. Although it is not the same story as that which was produced by Douglas Fairbanks in 1925, it is the same in tone; only that it is much more lavish and beautiful, not only because the settings are huger and more ingenious and the action more "tricky," but also because it has been photographed in natural colors. Flying carpets and horses, a djinni (of immense size and possessing a thunderous voice) flying through space at the command of the little hero who had liberated him from a bottle in which he had been imprisoned for two thousand years, acts of magic and other photographic tricks should delight children and most of those adults who will see it. But the lack of popular names in the cast makes its extensive exploitation necessary:—

Young Abu (Sabu), like his father and grandfather, lived in Bagdad by stealing. He is caught and, in the dungeon in which he had been thrown, he finds Ahmad, King of Bagdad (John Justin), a prisoner; he had been betrayed by Jaffar, his wicked Grand-Vizier (Conrad Veidt), who had made the people believe that the King was dead. The two expected execution the following morning, but Abu steals the keys from the jailer, and both escape. They seize a boat, and sail to the city of Basra. Ahmad, disobeying the laws of the land, looks upon the beautiful Princess (June Duprez); he is so struck by her beauty that his one desire was to see her again. With Abu's help, he sneaks into the palace gardens, meets the Princess

and declares his love; and for her it is the same—love at first sight. But Jaffar desired the Princess and, knowing that the Princess' aged father, the Sultan, loved mechanical toys, presents him with a mechanical horse which, when wound up, could fly through the clouds. The Sultan promises him his daughter in return for the toy. Ahmad tries to interfere; but the evil Jaffar, by magical powers, blinds him and turns Abu into a dog; he then kidnaps the Princess. The blind man and the dog go through many hardships, until one day they are restored to their normal state by a sacrifice on the part of the Princess. But Ahmad is disconsolate; to him life was not worth living without the Princess. And so he and Abu start out in search of her in a small ship. The ship is shipwrecked. On the beach, Abu finds an empty bottle. When he opens the cork, out comes a djinni, who threatens to kill him, but Abu, through a ruse, gets him into the bottle again. The djinni, by promising to grant Abu his first three wishes, obtains his freedom. It is through this djinni and a fairy King that Ahmad and Abu finally accomplish the difficult tasks of rescuing the Princess and of killing the wicked Jaffar. Ahmad is King once more with the Princess as Queen. He wants to educate Abu, but the boy flies away on the magic carpet, more eager to have fun than to be important.

Lajos Biro wrote the scenario, and Miles Malleson the screen play; Ludwig Berger and Michael Powell directed it, and Alexander Korda produced it.

Class A.

"Northwest Mounted Police" with Gary Cooper, Madeleine Carroll, Paulette Goddard, Preston Foster and Robert Preston

(Paramount, Nov. 22; time, 125 min.)

A very good outdoor melodrama. Produced on a big scale, in technicolor, it combines all the good features of exciting westerns with star names. The scenes of fighting, set against the marvelous outdoor backgrounds, are so thrilling that one is held in tense suspense. Even though it is primarily an action picture, it has human interest, a pleasant romance, and exciting situations:—

Gary Cooper, a Texas Ranger, arrives in Canada on the trail of a murderer (George Bancroft). He irritates Preston Foster, a Sergeant on the Canadian Mounted Police force, because Foster himself was after Bancroft. Foster's resentment becomes most evident when he notices Cooper paying attention to Madeleine Carroll, a frontier nurse, with whom Foster was in love. Robert Preston, Miss Carroll's brother, a Constable on the Mounted Police force, was having an affair with Paulette Goddard, a half-breed wildcat, daughter of Bancroft. Foster warns him to keep away from the girl, but he refuses. Bancroft and Akim Tamiroff, half-breeds, persuade the other half-breeds to revolt against the hated Mounted Police force. Bancroft tries to induce Walter Hampden, powerful Indian chief, to join forces with him. He sneaks ammunition to them. Knowing that trouble was brewing, Foster sends Preston and another man to guard a certain post, while the troops would collect. Having learned through a friendly half-breed that the Indians were set to attack the troops, Miss Carroll begs Miss Goddard to rush to Preston to warn him so that he could save the troops. Miss Goddard goes but, instead of telling Preston about the danger to the troops, she lures him away from his post on the pretext of wanting to marry him. She then makes him a prisoner, pleading with him to forgive her because her actions were prompted by love and by fear that he might get hurt. He is heartbroken, knowing that the troops would be killed; and so they are. Foster tells Miss Carroll the truth, but Cooper, knowing how the truth hurt her, tries to make her think otherwise. Cooper sets out alone, finds Preston, sneaks him out of the camp, and then sends him on his way. Miss Goddard, thinking it was Cooper who was leaving, has one of her men shoot at him; but it is Preston who dies. Cooper, continuing on alone, cleverly executes a coup that puts an end to the revolt. He then takes Preston's body back to the Mounted Police camp, telling stories of how he, though a prisoner, had overcome the malcontents. Preston is buried with honors. Foster realizes that Cooper had made up the story, but is grateful because of the peace it would bring to Miss Carroll. He arranges for Cooper to capture Bancroft, permitting him to take him back to Texas to stand trial. Cooper is saddened when Miss Carroll tells him it is Foster she loves.

Alan LeMay, Jesse Lasky, Jr., and C. Gardner Sullivan wrote the screen play, and Cecil B. DeMille directed and produced it. In the cast are Lynne Overman, Montagu Love, Lon Chaney, Jr., Regis Toomey, and others.

Class A.

"Moon Over Burma" with Dorothy Lamour, Preston Foster and Robert Preston

(Paramount, Oct. 18; time, 75 min.)

This is entertainment solely for the Dorothy Lamour fans; although she is out of a sarong she wears seductive costumes, and sings a few popular songs. The plot is hackneyed and silly; it depends on a few suggestive wisecracks for whatever comedy there is. Even the supposed "big" moment, the dynamiting of a log jam, is nothing to get excited about. This scene is just fairly thrilling as are two other scenes—one in which a forest fire breaks out, and the other where Miss Lamour narrowly escapes an attack by a cobra. The triangle romance is typical formula stuff:—

Preston Foster and Robert Preston, managers of the teak forest owned by Albert Basserman, who was blind, go to town for supplies. Foster warns Preston to keep away from the ladies. But when Preston sees Miss Lamour, a stranded New York show girl playing at the local cafe, he forgets his promises. Foster engages Addison Richards as his new foreman, not knowing that he was working for a well known lumberman, who wanted to get control of the teak forest. Foster goes back to the jungle; but Preston does not show up for a few days; he finally arrives with Miss Lamour, who had been compelled to leave her job because of the unwanted attentions paid to her by the cafe owner. Foster is annoyed, but he gradually grows fond of her, as she does of him. Basserman finds enjoyment in her company. Foster and Preston are annoyed at the various delays they were encountering; they were unaware that Richards was at the bottom of it all. Just as they were finishing their work, Richards starts a forest fire that required the services of all the men to fight it. Miss Lamour, having learned of Richards' treachery and of his plan to cause a log jam, rushes to Foster with the news. He and Preston risk their lives to dynamite the jam so as to send the logs through. Although Preston loved Miss Lamour, he realizes that she and Foster loved each other and so he steps aside.

Wilson Collison wrote the story, and Frank Wead, W. P. Lipscomb and Harry Clark, the screen play; Louis King directed it. In the cast are Frederic Worlock, Doris Nolan, Stanley Price, and others.

Suitability, Class A.

"Third Finger, Left Hand" with Myrna Loy and Melvyn Douglas

(MGM, Oct. 11; time, 96 min.)

Good entertainment! It is a light romantic comedy, directed with skill and acted engagingly by the leading players. And the production is lavish. Although the outcome is obvious, it does not detract from one's enjoyment of the picture, since the methods employed to bring about the final results are romantically amusing. The most comical situation is that in which Myrna Loy, in order to teach Melvyn Douglas a lesson, acts like a tough tenement girl in the presence of his home-town friends; this scene should set audiences roaring with laughter:—

Myrna Loy, editor of a fashion magazine, pretends that she had been married while on a vacation to Rio; her publisher's wife was so jealous a woman that she felt that she could not have kept her position as a single woman. Miss Loy tells everyone her "husband" had been so cruel that she had been separated from him. Rushing down to a ship one day to greet a friend who was supposed to arrive, she gets into the wrong cabin, and to her surprise finds several good paintings there. Thinking that they had been painted by her friend, she sends away an important art dealer, telling him he was not offering enough. Later she learns that the artist was Douglas, a stranger to her, and that she had spoiled his one big chance. But she cleverly puts things right by getting for him a better price. Soon the two fall in love. But when he hears about her "husband" he is enraged and demands an explanation. Seeing through her story, he sends cables to Rio for verification and finds that she had never been married. Pretending to be the missing husband, Douglas goes to Miss Loy's home, and is greeted by her father and her young sister with open arms. Miss Loy does not know what to do. She takes Lee Bowman, a lawyer, into her confidence, and he insists that Douglas marry her so that she could go to Reno for a divorce. They go through with the marriage, and together with Bowman they start for Reno. But they realize that they loved each other and decide to stay married.

Lionel Houser wrote the original screen play, Robert Z. Leonard directed it, and John W. Considine, Jr., produced it. Raymond Walburn, Bonita Granville, Felix Bressart, Donald Meek, and others are in the cast.

Class A.

"Arise My Love" with Claudette Colbert and Ray Milland

(Paramount, Nov. 8; time, 110 min.)

A first-rate entertainment. One is made to laugh, is held in tense suspense at times, is thrilled, and is made to feel the sufferings of his fellowmen. Most of the comedy occurs in the beginning, where the heroine tricks Spanish officials into liberating the hero, an American aviator, condemned to die. It is not so much the situations that provoke the comedy but situations combined with fine acting by both Miss Colbert and Ray Milland. There are, however, spots that make one feel as if the action is a bit too slow; judicious pruning would undoubtedly speed up the action considerably:—

Claudette Colbert, a famous American newspaper correspondent, sensing that she had a chance to write a sensational story, goes to Spain and, making the government officials believe that she was the wife of Ray Milland, an American aviator, condemned to die for flying for the loyalists, obtains his pardon. The Spanish officials become apprised of the deception too late; the two had already stolen a plane and succeeded in reaching Paris. Soon they fall in love but Claudette, unwilling to give up her newspaper career, obtains a transfer to the Berlin office. Ray enlists in the Polish air force. Both depart on the same train. A few miles out, Ray stops the train and the two alight and, in a forest nearby, declare their love for each other. Soon they hear German planes overhead and realize that war was on. Ray goes to Poland and, after its capitulation, returns to find Claudette. They decide to return to America, where they could do work for its defense. They board the *Athenia* and are torpedoed. They are rescued and, when they reach the coast, Ray renders aid to the British by flying a rescue plane. Claudette creates a sensation when she telephones the story to her manager. Claudette returns to Berlin and is present when the capitulation of France takes place. Ray, who had joined the British air force and had been incapacitated, obtains an assignment as a newspaper man, and goes to the spot where he and Claudette had declared their love for each other. Claudette, coming out for air, finds Ray; he tells her that their place is in America, where they could work for the preservation of democracy.

The plot has been founded on an original story by Benjamin Glazer and John S. Toldy; Charles Brackett and Billy Wilder wrote the screen play; Arthur Hornblow, Jr., produced it, and Mitchell Leisen directed it. Some of the supporting players are George Zucco, Walter Abel, Dennis O'Keefe, and Dick Purcell. Class A.

"Sky Murder" with Walter Pidgeon, Donald Meek and Joyce Compton

(MGM, Sept. 27; time, 72 min.)

Except for a good production, this latest murder mystery melodrama in the "Nick Carter" series in no way comes up to the ones that preceded it. The fault lies in the story; it is extremely far-fetched and silly. Not one of the players seems convincing. Donald Meek, as Walter Pidgeon's self appointed assistant, makes the best showing; his actions provoke laughter:—

Pidgeon, a private detective, is called to Washington by a wealthy man; at the man's home he meets a Senator, who asks him to undertake the task of uncovering the leader of a fifth column group working against the United States. Pidgeon, feeling that he could not handle so big a job, refuses, turning his attentions to the ladies, guests at the wealthy man's home. Overhearing a conversation between one of the ladies (Karen Verne) and a guest, in which Miss Verne threatened to kill the man unless he let her alone, Pidgeon suddenly changes his mind and decides to undertake the investigation. He knew that Miss Verne was in possession of valuable information, for several attempts are made by mysterious persons to kill her. Pidgeon and the man who had threatened Miss Verne join the ladies in a private plane, belonging to Pidgeon's wealthy host, bound for New York. During the ride the man is killed. Pidgeon, in order to protect Miss Verne, rushes her to his apartment. It develops that the wealthy man himself was the leader of the fifth columnists. Both the Senator and Pidgeon are unaware of this, until certain evidence is brought to their attention. Pidgeon, working with the F.B.I., rounds up the anti-American leaders and their workers. They trap the wealthy man into confessing. His work finished, Pidgeon again turns his attentions to the ladies.

William R. Lipman wrote the story and screen play, George Seitz directed it, and Frederick Stephani produced it. In the cast are Edward Ashley, Tom Conway, George Lessey, and others.

Suitability, Class A.

But how about the exhibitors who do not turn their theatres over to their managers for a season, or who don't gamble in Wall Street? Are they not entitled to some consideration?

Is there a single exhibitor who can conscientiously say that buying a "pig in a poke" is better than examining carefully the article before purchase? Is there any logic in the position some exhibitors have taken that buying fifty pictures a year before production is better than buying the same pictures in ten different installments but after examination? I have the objectors to the new selling plan lost their imagination?

* * *

SPEAKING AT AN EXHIBITOR MEETING at Syracuse, upstate, Ed Kuykendall said the MPTOA was forced to accept the consent decree, "but we will never agree to it." What is he going to do about it?

Oh, yes! He is going to "interpose," as a friend of the court, but he did not tell us who will let him.

Ed had better ask a lawyer about what he can and what he cannot do.

But, of course, no one can blame Ed for not knowing, for even lawyers can go wrong. Recently some of them tried to intervene, but were told by Judge Goddard to go to the Department of Justice if they had any complaint to submit.

The situation is as follows: Certain producers have been haled before the courts for having violated the Anti-Trust laws. Unwilling to go to trial and thus, not only risk conviction, but also spend a fortune defending themselves, these have agreed to admit guilt and give a promise that they will not do it again, putting their admission into writing. Thus both defendants and plaintiff have agreed to compose their differences. But now Ed comes along and says to both: "You can't do that! I won't let you." And what do you think the court, which is about to approve the plaintiff-defendant settlement, will say to Ed? Guess!

* * *

THOSE WHO BELIEVE THAT the plan of selling no more than five pictures in a group will tie up large capital had better read what Variety's Hollywood correspondent had to say in the October 16 issue; he said:

"With the new film season scarcely six weeks old, Hollywood already has more than half of its slated feature product for the year in cans, in the cutting room or shooting . . ."

Can the new plan tie up more capital than the present plan?

To state that the new plan will tie up capital is to assume that a studio can produce only one picture at a time and, under such circumstances, the producer will have to wait to make five pictures before selling them. As a result, the capital put into the first pictures of the group will be tied up until the fifth picture is made. But such is not the case; as said in a recent issue of HARRISON'S REPORTS, every studio has many stages. As a matter of fact, the large studios have about twenty stages. Consequently they will be able to produce and finish several pictures at a time, just as they are producing now. So under the new selling plan there will be tied up no greater capital than is tied up under the present selling system.

PICTURES NOW IN PRODUCTION

Columbia

"ACROSS THE SIERRAS," with Bill Elliott, Western.

"OCEAN GOLD," with Anita Louise and Bruce Bennett, Program.

RKO (Radio) Pictures

"PLAY GIRL," the new title of "Debutantes, Inc.," appraised in the October 12 issue.

"THE RELUCTANT DRAGON," with Robert Benchley and others, produced by Walt Disney. It is a cartoon, in which also actors will be used.

Universal

"THE INVISIBLE WOMAN," with John Barrymore, John Howard, Virginia Bruce, Charles Ruggles, Oscar Homolka, produced by Burt Kelly and directed by A. Edward Sutherland. Evidently it is a story of the "Invisible Man Type."

Warner-First National

"CARNIVAL," with Humphrey Bogart, Sylvia Sidney, Charlie Foy, Frank Wilcox and others. Perhaps good.

TREASURY DEPARTMENT

WASHINGTON

September 7, 1940

Allied States Association of

Motion Picture Exhibitors

729 Fifteenth Street, N. W.

Washington, D. C.

Attention: Mr. Abram F. Myers

Gentlemen:

Reference is made to your letter of August 29, 1940, inclosing copies of letters addressed to you, relative to the question of the liability of students admitted to theaters at reduced rates for the tax imposed by section 1700 of the Internal Revenue Code, as amended by section 211 of the Revenue Act of 1940.

It appears that one theater has an established price of admission to adults of 30 cents and admits high school students for 20 cents. In one case the established price of admission to adults after 7 p.m. is 25 cents, the price of admission to juniors, which includes children through the high school age, is 20 cents, and the price of admission to children is 10 cents.

Section 1700 of the Internal Revenue Code provides that in the case of persons (except bona fide employees, municipal officers on official business and children under 12 years of age) admitted free or at reduced rates to any place at a time when and under circumstances under which an admission charge is made to other persons, an equivalent tax shall be collected, based on the price so charged to such other persons for the same or similar accommodations.

The only exceptions to the tax on reduced rate admissions are employees, municipal officers on official business and children "under 12 years of age." It must be held, therefore, that students or other children 12 years of age and over admitted for a price less than the established price of admission to adults are liable for tax based on the regular established price to adults for the same or similar accommodations. The setting aside of a certain section for students does not operate to exempt the students from the tax. Children under 12 years of age admitted for less than 21 cents are not liable for tax and if the admission charge to children under 12 years of age is 21 cents or more, they are liable for tax based on the amount actually paid for admission.

Respectfully,

(Sgd.) Adelbert Christy,
Acting Deputy Commissioner.

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SATURDAY, NOVEMBER 2, 1940

NO. 44

HERE AND THERE

THERE SEEMS TO BE A misunderstanding about the effects of the five-picture group provision in the consent decree. This provision will not compel the producer to sell no more than one five-picture group at a time, but only that there shall be no more than five pictures in a group, or block; the producer may sell two or three such groups at the same time, and no exhibitor will be compelled to buy all the groups in order for him to buy the one he wants. Nor will he be compelled to buy all the pictures of a given group.

The fear that the producer will ask almost as much for the two or the three pictures of a given group as he will for the entire group is altogether unfounded, for that will be a violation of the spirit of the consent decree, and the Government will appoint an administrator to see that abuses are not practiced. Besides, there will be arbitration in effect, and a complaining exhibitor can always resort to it.

The number of those who believe that the consent decree will revive business is growing larger and larger every day.

* * *

IN A RECENT ISSUE of HARRISON'S REPORTS I informed you that Harry Arthur, of Fanchon & Marco, had adopted a revolutionary policy at the Ambassador, St. Louis; not only did he discontinue the double features, but also he decided to give one show each evening, on the basis of reserved seats.

Well, he experimented for six weeks and, at the end of that period of time, he found out that his new policy was a flop. Pictures such as "The Sea Hawk," "Brigham Young," "The Howards of Virginia," "Spring Parade," and other features were shown during the test period to almost empty seats. As a result, he went back to double-features.

At the recent convention of Allied Theatre Owners of New Jersey, I discussed the matter of double-features with Bill Rodgers, of Metro, and was told by him that their Ziegfeld Theatre, on Sixth Avenue and 54th Street, New York City, was a failure on a single-feature policy and that, as soon as they put on double-features, the theatre began making money.

These experiences do not prove that all theatres must go to double-features in order for them to show a profit—there are territories in which the showing of a single feature is preferable; it simply means that the final judge as to whether a single-feature or a double-feature policy is the better is the exhibitor himself, and no Goldwyn-inspired polls or other form of propaganda will alter the situation. Besides, the patron who dislikes

double features can still see a single feature in a double-feature house, whereas a double-feature patron cannot get what he wants in a single-feature house.

The double-feature evil took root only because of the greed of the affiliated circuits; they wanted so long and so wide a protection that, when the picture reached the independent exhibitor, its publicity value had worn off. As a result, he was compelled to add another feature to enable him to draw patrons. And it is difficult now to educate people in double-feature territories back to single features.

* * * *

ACCORDING TO AN EDITORIAL in *Canadian Moving Picture Digest*, Gene Autry, Republic's popular singing cowboy actor, will donate his services to the Canadian Moving Picture Industry's War Service Committee, which will hold a Rodeo in Toronto, on the 14th, 15th and 16th of November.

The proceeds of this Rodeo will be sent to British War Relief Fund, presided over by the Lord Mayor of London.

In a recent issue of HARRISON'S REPORTS, I expressed the belief that, if the profitable showing of Mr. Chaplin's "The Great Dictator" is now possible, it is owed solely to the British Royal Air Force, which has prevented the invasion of England. Had the invasion taken place, Mr. Chaplin would never have been able to release it for exhibition. In that issue, I suggested that Mr. Chaplin devote a certain percentage of the receipts from the British Dominions' theatres to buy little luxuries for the members of the Royal Air Force.

I still think that the idea is good and that Mr. Chaplin should adopt it. He should follow Mr. Autry's example.

* * * *

MR. ARTHUR W. KELLY, vice president and general sales manager of United Artists, was to go (written Monday morning) to the convention of Independent Theatre Owners of Ohio, held at Columbus this week, to explain to the exhibitors their side of the controversy on "Foreign Correspondent."

HARRISON'S REPORTS notes with great satisfaction the late tendency of producer-distributor representatives to honor exhibitor gatherings with their presence. William F. ("Bill") Rodgers, of MGM, started it.

If this policy had been adopted long ago, many of the industry's ills could have been corrected without any lawsuits, and without the subsequent hard feelings engendered by such suits. In an industry where the exact value of the commodity

(Continued on last page)

"A Dispatch from Reuter's" with Edward G. Robinson and Edna Best

(*Warner Bros., October 19; time, 89 min.*)

Despite an excellent production, intelligent direction, and fine performances, this drama, depicting the establishment of the Reuter news service system, is entertainment mainly for class audiences. Somehow it lacks mass appeal; for one thing, the action, with the exception of two or three situations, is slow-moving; for another, the subject matter lacks deep human interest. And the title certainly will not help matters much, for most persons will not understand its meaning. There is a romance and some slight comedy:—

In the year 1849, Julius Reuter (Edward G. Robinson), believing in the need for faster handling of mail and of market reports, establishes a carrier pigeon business from Brussels for towns lacking electric telegraph systems; he sets up branches in several European cities, mainly Aachen, where Franz Geller (Albert Basserman) was his representative. No one takes him seriously. One day, Reuter sends through a message by one of his pigeons warning a doctor that a certain serum intended for fever-stricken children in Aachen contained poison. He then rushes to Aachen to interview the doctor (Otto Kruger). Although the doctor was grateful for what Reuter had done, he felt that, in the interests of medicine, it would be best not to publicize it. Ida, the doctor's daughter (Edna Best), knowing that the publicity would have been of help, sympathizes with Reuter. Reuter finally convinces a group of wealthy men that his service was practicable. Ida helps him and the business prospers and grows. They fall in love and marry. In time telegraph closes the gap served by Reuter. But he starts a new service—a news agency servicing newspapers. Success and fortune are his. His business is threatened by an attempt of the Anglo-Irish Telegraph Company to enter the same field. But again Reuter overcomes obstacles by setting up a telegraph station near the Coast, thus receiving the news first. He is the first to bring news of Lincoln's assassination. This causes a panic in the stock market. Reuter is accused of having made up the news to further his own business. But the news is later verified by the United States Embassy and he is vindicated.

Valentine Williams and Wolfgang Wilhelm wrote the story, and Milton Kirms, the screen play; William Dieterle directed it, and Henry Blanke produced it. Eddie Albert, Gene Lockhart, Nigel Bruce, Montagu Love, James Stephenson and others are in the cast. Class A.

"Hit Parade of 1941" with Kenny Baker, Frances Langford and Hugh Herbert

(*Republic, October 15; time, 86 min.*)

Only fair. Considering the lavishness of the production, and the talents of the respective players, this should have been good entertainment. The fact that it is not is owed to the inept screen play. The performers do all they can with the material at hand and, in their own special field, make a pretty good showing. Kenny Baker and Frances Langford sing the popular tunes well and Ann Miller does tap routines expertly. If Patsy Kelly, Phil Silvers, Hugh Herbert, Mary Boland and Sterling Holloway, all good comedians, provoke laughter it is owing not to the material they were given but to their own ability:—

Hugh Herbert, co-owner with Kenny Baker, his nephew, of a trading post swap shop in Connecticut, puts over what he thinks is a good deal—he swaps his business for a broken-down radio station owned by Donald MacBride. Baker is enraged, placing part of the blame on Frances Langford, former singer on a program Herbert had sponsored, by accusing her of having worked with MacBride; but later he learns that she had had nothing to do with it, and so they are reconciled. When Baker tells Herbert that television would mean the end of their radio station, Herbert goes to the bank and makes a loan, giving as security the swap shop which he no longer owned. He then orders the television equipment set up. Baker realizes that if he did not make the station a success, his uncle would be put in jail. The first thing they needed was a sponsor. This they get in the person of Mary Boland, owner of a large department store; but she makes one demand—her daughter (Ann Miller) was to be the singer on the program. But Miss Miller was a dancer, not a singer. Baker thinks of a scheme: Miss Langford could do the singing from another room while Miss Miller appeared on the television screen singing into a dead microphone, unknown to her and to every one else. The plan works. But Patsy Kelly, Miss Langford's sister, feeling that Baker was using her sister, exposes the hoax. Instead of the publicity working against them, it works to their benefit. Miss Langford then becomes the regular singer on the program, and Miss Miller the specialty dancer.

Bradford Ropes, F. Hugh Herbert, and Maurice Leo wrote the original screen play; John H. Auer directed it, and Sol C. Siegel produced it. In the cast are Franklin Pangborn, Six Hits and a Miss, and Borrah Minevitch and his Harmonica Rascals.

Suitability, Class A.

"Tugboat Annie Sails Again" with Marjorie Rambeau, Alan Hale, Jane Wyman and Ronald Reagan

(*First National, October 26; time, 76 min.*)

In 1933, when Metro produced "Tugboat Annie" with Marie Dressler and Wallace Beery in the leading parts, it was good entertainment, and did well at the box-office because of Miss Dressler's large following. It will be difficult for Warners to duplicate the success of the other picture. First of all, the story, having been changed, lacks the human appeal of the first one; secondly, Miss Rambeau, although a good player, lacks box-office value. She works hard and gives a good performance, but somehow she does not exert the same appeal on one's emotions as did Miss Dressler. There is a romance:—

Miss Rambeau, captain of a tugboat, is known along the waterfront for her ability as well as her sharp tongue. She is happy when Ronald Reagan, who spent his summer vacations from college working on her boat, shows up again. Things look bad for Miss Rambeau's employer; he was in need of \$25,000 to repay a bank loan. He goes away for a trip, leaving Miss Rambeau in charge. Alan Hale, a rival tugboat captain, sends Miss Rambeau off on a false salvage job, so as to leave the coast clear for him for a real job. But she accidentally comes upon the job Hale was working on—that of freeing a stranded steamer carrying perishable goods. Hale fails in the job and Miss Rambeau tackles it; she is successful and obtains \$25,000 for her work; she immediately repays the loan. She now receives orders to obtain an important towing contract from Clarence Kolb, a big ship-builder. With the help of Kolb's daughter (Jane Wyman), who had fallen in love with Reagan, she finally gets the contract. But her first towing job is disastrous; the towed material is beached. Hale jumps in and claims it, demanding \$10,000 for its release. Miss Rambeau is heartbroken and resigns from the captaincy. But she suddenly remembers a decision in maritime law which would not require her firm to pay Hale anything. This puts her in the good graces of her employer once more, and she is reinstated as Captain. Miss Wyman and Reagan are united.

Norman Reilly Raine wrote the story, and Walter DeLeon, the screen play; Lewis Seiler directed it, and Edmund Grainger produced it. In the cast are Paul Hurst, Victor Kilian, Chill Wills, and others.

Suitability, Class A.

"Melody and Moonlight" with Johnny Downs, Barbara Allen, Jerry Colonna and Jane Frazee

(*Republic, October 11; time, 72 min.*)

A fair program comedy with music. The story is somewhat far-fetched; yet it should prove entertaining to many persons, particularly young folks, for it has music and dancing of the swing variety, plentiful comedy, and a romance. The comedy is silly, yet laugh-provoking:—

Jonathan Hale, wealthy society leader, forbids his debutante daughter (Jane Frazee) to become a night club entertainer; he felt that she, having no talent, depended on her name to carry her through. She is so angered that she leaves home, determined to show her father that she could succeed without his name. She meets Johnny Downs, a down-and-out dancer, working at a hotel as a bellhop to earn a living for himself and his sister (Mary Lee). Not knowing of Miss Frazee's society connections, and thinking that she was penniless, Downs asks her to stay with him and his sister until she found work. They decide to form a team. With the help of Miss Frazee's aunt (Barbara Allen), they induce Jerry Colonna to sponsor them on a radio program. But when Hale finds out about it, he uses his influence to stop the program. It is then that Downs finds out who Miss Frazee was and denounces her for having made a fool of him. He chooses another partner for a new radio idea. Hale relents and urges his daughter to assist Downs. She rushes to his side, and together they put the program over. They are united.

David Silverstein wrote the story, and Bradford Ropes, the screen play; Joseph Santley directed it, and Robert North produced it. In the cast are Frank Jenks, Claire Carleton, Marten Lamont, and others.

Suitability, Class A.

"Meet the Wildcat" with Ralph Bellamy, Margaret Lindsay and Allen Jenkins
(Universal, November 22; time, 60½ min.)

A pretty good program picture. The story, which combines crook melodrama with comedy, is routine; yet it holds one's attention and is consistently entertaining because of breezy action, amusing situations, and occasional comical dialogue. The closing scenes, although far-fetched, are exciting and should appeal particularly to the action fans. The romance, in keeping with the story, is developed in a breezy style:—

The Chief of Police of Mexico City is worried, for he could find no clues to the identity of a crook known as "The Wildcat," who had been stealing art treasures from museums. Joseph Schildkraut, a well-known art dealer, demands action. Margaret Lindsay, a photographer in Mexico City on a special assignment for a New York magazine, is granted permission to photograph famous paintings in a museum, and notices the suspicious actions of a man (Ralph Bellamy); she is quick enough to photograph him in the act of stealing a valuable painting, but he escapes. One day she comes upon him, and, together with Allen Jenkins, a friendly taxi driver, knocks him down and calls the police. They take him to the Chief's office; but, since the picture Miss Lindsay had taken was blurred, the chief had to let him go. Bellamy manages to contact Schildkraut who, it develops, was the real "Wildcat"—he and his gang used the art gallery merely as a front. Schildkraut makes him a member of his gang. Still suspicious of Bellamy, Miss Lindsay sets out to get more information. She manages to obtain his fingerprints, which she sends to New York for checking. It develops that Bellamy was a New York detective called to Mexico to solve the "Wildcat" case. Not suspecting that Schildkraut was a crook, Miss Lindsay berates Bellamy in Schildkraut's presence for having fooled her; she realizes too late her mistake. She and Bellamy are made prisoners while Schildkraut and his gang were preparing to execute a daring robbery. But Bellamy, by switching lights on and off, sends through a code signal for help. The police arrive in time to save them and to round up the gang. Miss Lindsay and Bellamy marry.

Alex Gottlieb wrote the original screen play, Arthur Lubin directed it, and Joseph C. Sanford produced it. In the cast are Jerome Cowan, Frank Puglia, Robert O. Davis, and others. Not for children. Class B.

"Street of Memories" with Lynne Roberts, Guy Kibbee and John McGuire

(20th Century-Fox, November 15; time, 70 min.)

A minor program offering. For one thing, the leading players are comparatively unknown; for another, the story is dull and depressing. Times are difficult right now and it is doubtful if any one wants to sit through a picture depicting the plight of the unemployed; and since the action centers around those who are struggling for a livelihood the settings are naturally drab. The only cheerful note is the romance:—

John McGuire, broke and unemployed, enters a cheap cafe owned by Ed Gargan. He offers to do any kind of work for a meal. Gargan sends him into the kitchen. Before he has a chance to eat, McGuire finds it necessary to defend Lynne Roberts, the young waitress, against Gargan; for this he is thrown out. Miss Roberts runs after him and, thanking him for what he had done, takes him to a party where there was plentiful food. He is grateful. After a few meetings, they realize they are in love. McGuire, having been warned by the police to leave town in twenty-four hours unless he could find employment, tries his best to get a job; but he is unsuccessful. He meets Guy Kibbee, a hobo pal. With the few dollars that Kibbee had, they decide to take a chance on peddling oranges. But even this does not work, for the police check on them and find out they had no license. McGuire sees Miss Roberts; he tells her how hopeless things looked. He also confesses to her that he did not know who he really was, his memory going back only six months to the time when Kibbee had found him wandering in a railroad yard with his head split open. But Miss Roberts has faith in him. In a fight he suffers another head wound; this brings his memory back to him, but makes him forget everything that had happened within the six months. It turns out that he was the son of a well-to-do man. The father tries to buy off Kibbee and Miss Roberts, but learns, to his surprise, that they were fine persons. McGuire suddenly remembers that he had been in love with Miss Roberts, and they are united.

Robert Lees and Frederic I. Rinaldo wrote the original screen play; Shepard Traube directed it, and Lucien Hub-

bard produced it. In the cast are Hobart Cavanaugh, Jerome Cowan, Charles Waldron, Sterling Holloway, and others. Suitability, Class A.

"The Ape" with Boris Karloff

(Monogram, September 30; time, 62 min.)

Poor! Supposedly a horror melodrama, it is doubtful if it will scare any one but children; adults will find the story silly. The picture looks as if it were produced on a very modest budget; at the beginning, there are several circus stock shots that look pretty old. Moreover, with the exception of Boris Karloff, no one in the cast has any box-office value. The picture may arouse the indignation of some religious groups since it tries to awaken sympathy for Karloff, who murders persons in order to acquire from them the spinal fluids he needed to cure a young girl of paralysis:—

Karloff, a country doctor, had one obsession—to cure a young girl (Marie Wrixon) of paralysis: Having lost his daughter and his wife from incurable diseases, he felt that Miss Wrixon took the place of his daughter, and he wanted to help her all he could. But in order for him to carry on his experiments for a serum with which to cure Miss Wrixon, he needed spinal fluids from humans. When an animal trainer, who had been mauled by a circus ape, is brought to his office, Karloff extracts the fluid and then kills him. No one suspected him as the murderer. Everyone in the locality is on the lookout for the ape, which had escaped after mauling the trainer. The ape manages to get into Karloff's home; Karloff kills him. He then thinks of a scheme: using the skin of the ape as a disguise, he prowls around the neighborhood, kills whenever he could and thus obtains the fluid he needed for the cure. No one would suspect him; everyone believed that the ape was still at large. He injects the serum into Miss Wrixon. Finally he is caught and wounded. Before dying he sees Miss Wrixon walk towards him and is happy.

The plot was suggested by the Adam H. Shirk play; Richard Carroll and Kurt Siodmak wrote the screen play; William Nigh directed it, and William Lackey produced it. In the cast are Gertrude Hoffman, Henry Hall, and others.

Not for children or adolescents. Adult fare. Class B.

"Mexican Spitfire Out West" with Lupe Velez, Donald Woods and Leon Errol

(RKO, rel. November 15; running time, 76 min.)

Although the story is silly, the picture should prove entertaining to the masses, for there are complications, made laughable by the good acting of the leading characters. In crowded houses, the laughter should be quite hearty. Leon Errol is called upon to play three different roles, and he handles each role with skill. The action is farcical, with a touch of bedroom farce toward the end. And it is fast:—

Dennis Lindsay (Donald Woods) is so busy trying to keep Lord Epping (Leon Errol), head of a whisky concern, who had just arrived from England, from the hands of Skinner (Eddie Dunn), a rival for Epping's million-dollar advertising contract, that he forgets that Carmelita, his wife (Lupe Velez), had prepared a dinner to celebrate their wedding anniversary. This so angers her that she goes to Reno, ostensibly for a divorce, but really to make him rush to her there. To the persistent Skinner, Uncle Matt (Leon Errol) tells that Lord Epping had gone to Reno; but when he learns that Carmelita had gone to Reno, he goes to her with the hope of preventing her from applying for a divorce. Skinner decides to go to Reno, in search of Lord Epping. When Uncle Matt sees Skinner he makes up like Lord Epping and poses as he. He is pestered by Skinner for the advertising contract. Lord Epping learns that his wife, having been made to believe that he had gone to Reno, had gone there in search of him, escapes from the hands of Dennis and boards the train for Reno. To Reno goes also Aunt Delia (Elizabeth Risdon), wife of Uncle Matt. Interesting complications arise when the three "Lord Eppings" meet at Reno. The suspense is heightened by the fact that the two wives do not know who is her husband. Lady Epping at times finds herself in the same room with the would-be Lord Epping and thinks it is her husband. Aunt Delia, too, screams when she sees in her room the made-up Lord Epping, unaware of the fact that it was her own husband. But everything is straightened out in the end—Dennis gets his contract from Lord Epping, and he and Carmelita become reconciled. And Aunt Delia does not learn that her husband had posed as Lord Epping.

The plot has been taken from a story by Charles E. Roberts. Cliff Reed produced it, and Leslie Goodwins directed it. Suitability, Class A.

sold cannot be determined at the time of sale, differences cannot be avoided. But most such differences could have been adjusted with a show of good will. Unfortunately, most picture executives chose to disregard the protests of their customers, and to refuse to recognize exhibitor organization representatives, compelling them to seek relief either in legislatures or in the courts.

Let us hope that, with the consent decree in force, the friction between buyers and sellers will be reduced to the minimum.

* * *

MONOGRAM PICTURES has moved its main office to the Coast, for reasons of economy. With the foreign market gone, moving the home office to the Coast was one way of effecting economy.

It was thought for a while that Monogram would discontinue producing, turning itself into a releasing organization exclusively; but according to a latest dispatch in *The Film Daily* it will keep on producing the majority of its pictures.

With the signing of the consent decree, Monogram will have a better chance of getting outside productions for release, for some directors, and even some of the second-line stars, may want to make their own pictures.

* * *

IN THE OCTOBER 21 ISSUE OF *The Hollywood Reporter*, Bill Wilkerson calls the attention of the producers to the fact that in New York City more tickets are sold for musical stage shows than for any other types of productions. Consequently he suggests that the picture industry make a greater number of musicals.

Mr. Wilkerson's suggestion is good, but only with this addition—that the stories the picture producers should select for musicals should be substantial. Most of the stories that are chosen today are inane, with the result that the pictures do not draw as much as they would otherwise draw.

There is as much difference in the box office receipts between a musical with a good story and a musical with a poor, or even fair, story as fifty per cent. This should give you an inkling of how important it is for producers to chose good stories.

This does not mean that they should neglect the quality of the stories for other types of pictures, but only that, since the musicals cost much more money to produce, greater care should be exercised.

ALLIED STATES ASSOCIATION OF MOTION PICTURE EXHIBITORS
729 Fifteenth Street, N.W.

Washington, D.C.

October 24, 1940.

THE AIR HAS BEEN CLEARED

Last week Allied suggested that it would clear the air if Messrs. Brandt and Kuykendall would declare their positions on all features of the proposed consent decree.

The justification for such suggestion was that both had been attacking Allied and Allied leaders, Mr. Kuykendall directly and Mr. Brandt indirectly through the house organ of the I.T.O.

Mr. Brandt came clean. He issued a statement in which he stated views on most of the provisions of the decree. In doing this he has helped the exhibitors to a clearer understanding of the proposal and of his position.

However, he has removed the basis of the criti-

cisms which he has heaped on Allied. It now appears that he opposes the very features that Allied has been striving to have corrected. His reasons, in many instances, are similar to those urged by Allied in its representations to the Department of Justice.

The most revealing part of Mr. Brandt's answer is that which has to do with the definition of a circuit. He rejects the principle that independent theatres should be protected against the buying power of circuits and buying combines. He says, "The question is not the size of the operation, but solely theatre against theatre."

Allied has felt that the definition of an independent theatre was too narrow and has so advised the Department. It has not, however, questioned that a group of theatres bound together in a common operation or buying combine constituted a circuit. Allied asked that Mr. Brandt give his views as to the classification of buying combines as circuits, and got it; answer. The answer will be pondered by independent exhibitors everywhere.

Mr. Brandt's courage was not matched by Mr. Kuykendall. He merely mounted a high horse (figuratively) and questioned Allied's right to question him. It was a poor device in view of the fact that he has been touring the country criticizing Allied. He stands in the position of one who likes to dish it out but can't take it. If he doesn't want to be asked embarrassing questions, he had better retire from the field of controversy.

Notwithstanding his indignation that anyone should be so presumptuous as to question him, Allied, the independent exhibitors generally, and, we suspect, the circuit operators who make up the bulk of his membership, are anxious to learn whether Mr. Kuykendall is interested in curbing circuit buying power, in strengthening the curbs on such buying power contained in the decree, or whether he merely wants to discredit the entire effort so that circuit depredations may continue unrestrained.

Mr. Brandt has frankly stated his dissatisfaction with the provision that touches his nerve center; let Mr. Kuykendall state whether he believes that in the consent decree, or otherwise, chain expansion should be curbed and discrimination in favor of circuits as against independents should be remedied. There is no profit in debating issues on which all take the same position. Let Mr. Kuykendall, whose board of directors includes representatives of virtually all the great circuits, state specifically what protection he thinks the independent exhibitors should have against chain influence and chain buying power.

PICTURES NOW IN PRODUCTION

Columbia

"OCEAN GOLD," appraised in last week's issue as "Phantom Submarine."

"PENNY SERENADE," with Irene Dunne, Cary Grant and others, produced and directed by George Stevens. With the two good leads, as well as with the good producer-director, the picture should turn out at least very good. No story available for reading.

Metro-Goldwyn-Mayer

"MAISIE WAS A LADY," with Ann Sothern, Lew Ayres, Maureen O'Sullivan, Rita Johnson, C. Aubrey Smith, Edward Ashley and Henry O'Neil, directed by Edwin L. Marin. It should turn out a good picture of this series.

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CONSENT DECREE SIGNED!

Every one of you no doubt knows by this time that last week five of the major companies signed the consent decree and trial of the Equity suit against them, started in the District Court here, has been suspended for the duration of the test period, which is three years.

The five companies are Loew's, Inc. (MGM), Paramount, RKO, Twentieth Century-Fox, and Warner-Fox National.

The suit will proceed against Columbia, United Artists and Universal under a modified complaint, but because none of the producers releasing through United Artists produces more than five pictures a year, this company's selling system will naturally conform to that of the companies that have signed the consent decree.

The Decree contains a provision for arbitrating certain types of disputes, and the Department of Justice, in order to give arbitration a fair trial, has agreed not to press theatre divortement for a period of three years—the time of the test period; on the other hand, the producers have agreed not to engage in indiscriminate theatre expansion, maintaining the status quo as much as is practicable. If a producer plans either to build a theatre or to acquire an old one, he must first obtain the consent of the Department of Justice, which plans to establish in the Anti-Trust Division a special unit to gather the necessary information that it might enable it to determine whether or not a justification for the new theatre exists. The Department has retained the right to inspect all records relating, not only to the operation of this provision, but also of the provisions of the entire decree.

Let it be noted, however, that Mr. Abram F. Myers, counsel for Allied States Association, has objected to the insertion of the italicized (by us) wording in: "Nothing herein shall prevent any such defendant from acquiring theatres or interests therein to protect its investment or its competitive position *or for ordinary purposes of its business*," for he feels that this wording emasculates the entire provision, rendering it meaningless. There is some hope, however, that the Department will compel the producers to conform to the spirit, and not the letter, of the provision, since it will have the last word whether a distributor should or should not acquire a new theatre.

A brief description of the Decree's most important provisions follows (the word "distributors" means "Loew's, Inc., Paramount, RKO, Twentieth Century-Fox and Warner-Fox National"):

Trade-showing Before Selling

Beginning with the 1941-42 season the distributors, before offering a picture for sale, must trade-show it in each of the different zones where they maintain exchanges. The exhibitor, however, is under no obligation to attend these showings; he may obtain his information as to their quality as well as box-office possibilities from his representative, or from his favorite reviewer.

Commenting on the subject of trade-showings, Mr. Myers said the following in an analysis of the consent decree:

"Features undoubtedly will be reviewed by the trade press at the time of or immediately following the trade-showings. The new practice will increase the opportunities of reliable trade papers to serve the exhibitors by prompt, accurate and disinterested reviews. Exhibitors will need to patronize and support those publications which in the past have proved themselves trustworthy."

(EDITOR'S NOTE: Correspondingly, the new sales system places upon the reviewers a greater responsibility.)

Size of the Picture Blocks

Beginning with the 1941-42 season, no distributor shall offer to an exhibitor a block of pictures consisting of more than five in number. He may offer two or more five-picture blocks, but in no case shall he compel the exhibitor to buy all the offered blocks in order to permit him to buy the one block that he wants.

Some exhibitors are objecting to this provision on the ground that the distributor may put four "clucks" in the group so as to compel the exhibitor to lease such "clucks," which otherwise the exhibitor would not have bought. While this may happen, let it be noted that the exhibitor is under no compulsion to buy the entire block; he may suggest that other pictures be substituted for the poor four. The distributor may refuse either to sell the one good picture without the four "clucks," or to substitute four other pictures for the four "clucks," but the exhibitor may refrain from buying that group.

It is true that the exhibitor, particularly the one who has to have pictures, will be inconvenienced, but so will the producer—more so, if anything for pictures are a "perishable" commodity, and unless they are "moved" they lose value; when an exhibitor refuses to buy the block and its best picture plays a subsequent-run house, the distributor runs the risk of losing a great deal of revenue.

Attaching four "clucks" to a box-office picture may also have the opposite effect intended; it may give the exhibitor the means by which he can bring the price of the good picture down. The thing certainly can work both ways.

This writer's opinion is that the good pictures will be sold invariably as single pictures and the "clucks" grouped together. If so, then the exhibition branch of the industry will profit greatly from the change of the selling system. Certainly it will prove much more beneficial to it by the fact that the exhibitor, before putting his name on a contract, will know the value of the goods he is buying.

The change of the selling system is also expected to cause a decided improvement in the quality of the pictures, for when a producer learns that his poor pictures do not bring in a dime, he will be compelled to improve the quality of his future pictures. In some instances he will become the laughing stock of the exhibitors if he should even attempt to sell them his poor pictures, let alone ask high prices for them.

In the matter of the exhibitor's inconvenience because of the fact that he will be compelled to buy pictures ten or twelve times a year instead of once, let me quote from an analysis of the provisions of the decree by Mr. Myers:

"How many groups of five each distributor will have ready to offer at the beginning of the season, or at any other time, is a matter of speculation. It is reasonable to suppose that each distributor will have as many pictures completed and trade shown at one time as available capital will permit. It is not reasonable to assume that these great companies will allow any legitimate demand for films to go unmet.

"Assuming that each of the five consenting defendants will have four groups ready to offer at the beginning of the next season, they together will offer the exhibitors a total of 20 groups or 100 pictures to choose from. . . ."

One of the many other advantages the new selling system will confer on the exhibitors is the fact that, as Mr. Myers says, "buying will not all be done in the flush days of the autumn when there is a high-price psychology and some buying can be done between Thanksgiving and Christmas, during Lent, and in the hot days of the summer when ex-

(Continued on last page)

**"Seven Sinners" with Marlene Dietrich,
John Wayne and Mischa Auer**
(Universal, October 25; time, 85 min.)

Good! It is the type of entertainment that has mass appeal—sexy, robust, comical and even fast-moving. The story itself is routine, but the direction is so capable that one forgets about its triteness. The production values are good, and the acting capable. For real excitement, there is a cafe brawl in which a crowd of men participate; everything in the cafe is broken, and everyone in the fight is knocked out. Melodrama-loving audiences should be thrilled by it. Although the romance is broken up in the end, one does not resent it, for it is the logical conclusion:—

Marlene Dietrich, an alluring cafe singer in the Orient, is constantly being deported from one island to another, because she innocently caused brawls. Her two protectors—Broderick Crawford, an ex-sailor, who was ever ready to fight, and Mischa Auer, a magician, who could not resist the temptation to steal—accompany her wherever she goes. The three finally land in Boni-Komba, where Miss Dietrich becomes chief entertainer at a cafe known as The Seven Sinners. The proprietor (Billy Gilbert) fears that her presence will mean the end of his business, but he cannot turn her away. Oscar Homolka, an objectionable but wealthy client, tries to win Miss Dietrich's affections, but she repulses him. Her attentions are all for John Wayne, a U. S. Naval officer stationed at the island. He is fascinated by her; for the first time in her life, she is really in love. When Wayne's superiors learn that he intended to marry her, they are horrified. Because of her, he gets into a terrific brawl with Homolka and his gang, in which he is joined by most of the men on the island. Homolka and his gang are overpowered. Miss Dietrich, realizing that she could bring nothing but shame to Wayne, leaves the island. Crawford does not follow her, choosing instead to go back into the U. S. Navy. She is met and comforted by Albert Dekker, a doctor aboard the island ship, who understood her.

Harry Tugend, Ladislas Fodor and Laszlo Vadnai wrote the story, and John Meehan, the screen play; Tay Garnett directed it, and Joe Pasternak produced it. In the cast are Anna Lee, Samuel S. Hinds, and others.

Too sexy for children. Class B.

**"Hullabaloo" with Frank Morgan,
Virginia Grey and Dan Dailey, Jr.**
(MGM, October 25; time, 77 min.)

Aside from a few good song numbers and Frank Morgan's clowning, "Hullabaloo" doesn't offer much in the way of entertainment. The story is silly and slow-moving. When it gets away from the plot and concentrates on individual performers such as Charles Holland, a fine negro singer, and Virginia O'Brien, a new swing singer, it has a few bright moments. Morgan works hard and is comical when doing impersonations (the actual voices of Clark Gable, Mickey Rooney, Spencer Tracy, and Hedy Lamarr are used when Morgan is supposedly impersonating them). There is a romance:—

Morgan, an actor, tries to interest a large broadcasting company in an idea that he had for a radio skit in which he impersonated several characters. No one would listen to him. Virginia Grey, a young dancer, who, too, had been turned down, feels that Morgan had something to offer and helps him get a hearing with Dan Dailey, Jr., a new young executive in the company. Dailey knew nothing about radio, having been a golf champion, but Ann Morris, the daughter of the broadcasting company's president, was in love with Dailey and insisted that her father give him a chance. Dailey thinks Morgan is good; he signs him up for a new program sponsored by wealthy Donald Meek and his scatter-brained sister-in-law (Nydia Westman). Morgan puts on a show supposedly based on an invasion of America; this he does so realistically that listeners believe there was an actual invasion, and a panic ensues. Meek is so enraged that he cancels Morgan's contract. Morgan is in difficulties; his three divorced wives and their three respective children descend on him, expecting to be supported. Morgan, with the help of Dailey, who had fallen in love with Miss Grey, who turned out to be Morgan's own daughter, finally puts over a new deal with Meek. Morgan, by impersonating the voices of various famous stars, had led Meek to believe they would appear on the program. Meek is frantic when the stars do not appear; but Morgan's impersonations are so good that the audience cheers him and Meek is satisfied.

Bradford Ropes and Val Burton wrote the story idea, and Nat Perrin, the screen play; Edwin L. Marin directed it, and Louis K. Sidney produced it. In the cast are Billie Burke, Reginald Owen, Curt Bois, and others.

Suitability, Class A.

**"The Mark of Zorro" with Tyrone Power
and Linda Darnell**

(20th Century-Fox, Nov. 8; time, 93 min.)

Good! Produced the first time in 1920, with Douglas Fairbanks as the star, this new version is good entertainment. The twenty-year lapse of time has created a new audience; and even those who saw it the first time will probably be entertained anew, although not so well as the first time. Produced with lavishness, directed with skill, and acted with enthusiasm by a competent cast, it is the kind of entertainment that has something in it for both young and old—romance, adventure, excitement, and some comedy. It holds one's interest, in spite of the fact that the story, which is a combination "Robin Hood" and "Scarlet Pimpernel" plot, is not new:—

Dashing young Don Diego Vega (Tyrone Power) leaves Madrid for his home in California, having received an urgent call from his father to return. Upon his arrival, he notices that the people looked unhappy and were discontented. He even hears them talk disrespectfully of the alcalde (Mayor), the position held by his father, because of his brutality towards the peons. The truth was that his father had been deposed by the ruthless tyrant, Don Luis Quintero (J. Edward Bromberg) who, together with the Army Captain, Esteban Pasquale (Basil Rathbone), had been terrorizing the people and stealing from them by means of heavy taxes. Diego pretends to be indifferent towards the situation, for he knew that his father, as a law-abiding citizen, objected to fighting. Unknown to all but Fray Felipe, the mission priest (Eugene Pallette), Diego poses as a masked bandit, stealing from the rich to give to the poor. He was so elusive that Esteban could not catch him. By means of a secret passage known only to him, Diego was able to reach Quintero's private study and to terrify him by threatening to kill him unless he resigned. Lolita (Linda Darnell), Quintero's niece, is thrilled by the daring exploits of Zorro. Consequently, when she is told by her uncle that he wanted her to marry Diego, she is unhappy, for she felt he was a coward. But when he later tells her that he was Zorro, she is thrilled, for she had fallen in love with him. Eventually the truth becomes known to Quintero, who prepares to kill both Diego and the priest. But again Diego outwits him. In a terrific duel with Esteban, Diego kills him. He later outwits his jailer and, together with his father and a group of friends, subdues the soldiers and forces Quintero to leave the country. His father once more becomes the alcalde; and Diego marries Lolita.

Johnston McCulley wrote the story, and John T. Foote, the screen play; Rouben Mamoulian directed it. In the cast are Gale Sondergaard, Montagu Love, Janet Beecher, and others.

Class A.

**"Blondie Plays Cupid" with Penny
Singleton, Arthur Lake and
Larry Simms**

(Columbia, October 31; time, 68 min.)

A pretty good addition to the "Blondie" series. The story is lightweight, yet it has human appeal and plentiful comedy. Most of the laughter is provoked by the predicaments of the hero and the heroine. Even though neither one of them is presented as being particularly bright, one likes them. Juveniles should be amused by Larry Simms and his dog Daisy:—

This time Blondie (Penny Singleton) and Dagwood (Arthur Lake) decide to spend the 4th of July in the country, because Blondie feared lest something happen to their child if they stayed in town, because of the firecrackers. After going through a hectic morning, in which a firecracker thrown into their house explodes, the family sets out for the country. It is then that their troubles begin. They even become involved in an elopement, in which the girl's father objected to the bridegroom. They accidentally help things along when Larry throws a stick of dynamite into the ground where the young bride's father was digging for oil. The explosion brings forth a gusher. The father then forgives the young couple, for it was his son-in-law who had induced him to start digging. Just when they thought that everything was serene, Larry lights what he thought was a firecracker but which really was dynamite. Father, mother, baby, and dog land in the hospital. Blondie promises not to run away from home any more.

Charles M. Brown and Karen DeWolf wrote the story, and Karen DeWolf and Richard Flournoy the screen play; Frank R. Strayer directed it, and Robert Sparks produced it. In the cast are Glenn Ford, Danny Mummert, Jonathan Hale, Irving Bacon, and others. Suitability, Class A.

**"Escape" with Norma Shearer
and Robert Taylor**

(MGM, November 1; time, 103 min.)

Very good adult entertainment. Although somber in tone, it is gripping; at times the action is highly exciting. The picture is definitely anti-Nazi in tone; yet it puts over its point, not by preachment, but by example—the action showing the suffering of individuals unfortunate enough to get on the wrong side of the Nazis. There is one extremely thrilling situation: it is where the hero carries through a plan to rescue his mother from a concentration camp. Although a romance is suggested, it is not of importance. The story has appeared in novel form, and ran as a serial in the *Saturday Evening Post*.—

Robert Taylor, an American artist, arrives in Germany to find out what had happened to his mother (Nazimova), a native-born German, once famous as an actress, who had been living in America for many years with her two children. She had gone to Germany to sell some property she owned. Taylor becomes frantic; no one, not even police officials, will give him any information. Even Felix Bressart, a former servant, feared to talk. Taylor becomes acquainted with Norma Shearer, a Countess. He learns that she was American-born. Feeling that she had powerful friends, he tells her of his plight and begs her to help him. Being on intimate terms with Conrad Veidt, a General in the German Army, she learns from him that Nazimova was in a concentration camp on a charge of treason, and that she was to be executed in a few days. Although deeply touched, she feels that there is nothing she could do. Taylor accidentally becomes acquainted with Philip Dorn, the doctor in charge at the concentration camp. Although neither knew the identity of the other, a chance remark by Taylor makes the facts known. Dorn, who as a youngster had worshipped the actress, promises to help. He would give his mother a drug to make it appear as if she had died, and then sign a death certificate; he suggests that Taylor and Bressart get the body out of the camp as quickly as possible; otherwise she would die. The plan is carried out and, after many nerve-racking experiences, Taylor gets his mother out. A storm having blocked the road, he takes his mother to Miss Shearer's home nearby. She knew that discovery would mean death to her, yet she helps. She then arranges matters so as to facilitate their escape. Taylor, who had fallen in love with her, pleads with her to escape with them but she stays, promising to join them in the near future. Veidt finds out what had happened and, despite Miss Shearer's plea, rushes to the telephone to notify the police. Just then he suffers a stroke and is unable to do anything. He pleads with Miss Shearer not to leave him, and she promises to stay.

Ethel Vance wrote the story, and Arch Oboler and Marguerite Roberts, the screen play; Mervyn LeRoy directed it. In the cast are Albert Basserman, Bonita Granville, Edgar Barrier, Elsa Basserman, Blanche Yurka and others.

Class A.

**"Father Is a Prince" with Nana Bryant
and Grant Mitchell**

(First National, October 12; time, 56 min.)

A minor program family picture, limited in its appeal to middle-aged audiences. The action centers around an average family; the characters are ordinary, and their actions run along formula lines. The father of the house is extremely unpleasant up until the end. There is a pleasant romance:—

Nana Bryant finds things a little difficult at times because of her husband's stinginess and uncontrollable temper. She knew that he had money, but, even though she did not feel well, she did not ask for more maid help, so as to avoid arguments. She is happy when their daughter (Jane Clayton) returns from a vacation engaged to a fine young man. She arranges for a dinner party for him and his parents, to which she invites her sister and brother-in-law. Mitchell, learning that he owed the government \$8,000 in back taxes, arrives home in a miserable mood. Consequently, when he sees the preparation for the dinner and hears about the engagement, he becomes infuriated and insults the young man and his parents; they leave in disgust. That is the last straw—Miss Bryant tells him that she would leave him and would sue him for a divorce. She suddenly faints; Mitchell calls for a doctor, who rushes Miss Bryant to the hospital for an immediate operation. Mitchell, ashamed of himself, comes to his senses; he orders the best of everything, no matter what the cost. Miss Bryant recovers and everything is adjusted.

The plot was adapted from the play by Sophie Kerr and Anna S. Richardson; Robert E. Kent wrote the screen play, Noel Smith directed it, and William Jacobs produced it. Lee Patrick, John Litel, Frank Mayo, Peter Ashley, and others are in the cast.

Suitability, Class A.

**"Slightly Tempted" with Hugh Herbert,
Peggy Moran and Johnny Downs**

(Universal, October 18; time, 60 min.)

A moderately entertaining program comedy. Hugh Herbert gives one of his typical performances as an eccentric kieptomaniac, provoking laughter by his usual antics. The story is, however, not so "hot," for, in addition to being silly, it gives Herbert a slightly unpleasant part. The action lags occasionally; it is most exciting towards the end, where Herbert outwits a pair of crooks and saves the money of innocent investors in a fake company. There is a pleasant romance:—

Peggy Moran leads her friends and neighbors to believe that her father (Hugh Herbert) was a professor, and that he was on an expedition in South America, whereas he was a petty crook, serving five years in prison. Miss Moran loved her father, despite his faults, for she felt that he wasn't bad at heart. When he is released, she tells her sweetheart (Johnny Downs) that her father was arriving from South America, and that she was going to meet the boat. Upon arriving home with him, she is shocked to find that Downs had prepared a band and welcoming committee for the "distinguished" guest. Herbert, invited to speak, gives the assembled guests a sales talk about valuable iridium mines he had discovered. Elisabeth Kisdon, the wealthiest woman in town, wants to get a monopoly on the iridium discovery. Two crooks (Robert Emmett Keane and Gertrude Michael) chisel in; they insist that he sell stock. To impress the townsfolk Keane, posing as a representative of a financial syndicate, deposits \$60,000 in the bank and agrees to work with Miss Kisdon and her friends if they would deposit an equal amount, which they do. Then they try to run away with all the money. But Herbert, with the help of George E. Stone, an old prison friend, outwits the crooks and gets back the money, not only of the investors, but also of the crooks. Thus, he is able to start Downs off in business. Downs and Miss Moran, and Herbert and Miss Kisdon marry.

Max Marcin and Manuel Seff wrote the story, and Arthur T. Horman, the screen play; Lew Landers directed it, and Ken Goldsmith produced it. In the cast are Harry C. Bradley, Harry Holman, and others.

Not for children. Class B.

**"East of the River" with John Garfield,
Brenda Marshall, Marjorie Rambeau
and William Lundigan**

(First National, November 9; time, 72 min.)

Just another picture. Should Warners continue to put John Garfield in pictures of this type, they will kill his box-office value. The story is no more than a rehash of a familiar "bad boy" plot, with a routine triangle romance; and Garfield portrays an unpleasant character, for he makes his livelihood by shady practices. The action is slow; not until the closing scenes is it exciting. Even the romance lacks appeal, for one dislikes seeing the heroine, despite her regeneration, marry the hero, considering what her past had been:—

Marjorie Rambeau, owner of a small east side restaurant, raises two boys—one her own son (John Garfield) and the other her adopted son (William Lundigan). Lundigan grows up to be fine—studious and honorable, while Garfield goes wrong. Garfield, while spending a prison term in California, instructs his girl friend (Brenda Marshall) to send letters to his mother telling her he was managing an orange grove and to enclose money. Miss Marshall meets him upon his release, and they talk about getting even with the two men who had framed him. They leave for New York to attend Lundigan's college graduation. Miss Rambeau is delighted to see Garfield again, and accepts his story about Miss Marshall. She puts them both up in her living quarters above the restaurant. Miss Rambeau's kindness makes a new person out of Miss Marshall. Garfield meets his two betrayers; Miss Marshall pleads with him to forget about them, but he refuses. He enters into a scheme with them to rob a safe, for which he demands \$15,000 in advance. Then he tips off the police; one of them is killed and the other escapes. Knowing that the gang would get after him, he leaves town. During his absence, Miss Marshall and Lundigan fall in love; she tells him about her past, but he insists on marrying her. They write to Garfield about it. This brings him back. He tries to force Miss Marshall to go away with him, threatening otherwise to bring disgrace to Lundigan. She agrees to go; but Miss Rambeau berates Garfield, and makes him release her. The gangsters track Garfield, but in the end he outwits them, escaping with them.

John Fante and Ross B. Wills wrote the story, and Fred Niblo, Jr., the screen play; Alfred E. Green directed it, and Harlan Thompson produced it. In the cast are George Tobias, Moroni Olsen, Jack LaRue, and others.

Not for children. Class B.

hibitors and distributors alike are singing the blues," and that "the stranglehold of the distributors on the screens will be broken, giving the exhibitors greater freedom in shopping around and opening the way for independent producers to enter the market and compete with the Big Eight."

Forcing Shorts with Features

No distributor shall compel an exhibitor to license short subjects (this includes newsreels, trailers and serials), or reissues, foreigns and westerns (collectively called "foreigns.")

The designation "westerns" does not include pictures of the caliber of "Stage Coach," "The Westerner," "The Plainsman" and others, and "foreigns" does not include such pictures as are made by the producers abroad as a result of English quota obligations. But since the exhibitor will have something to say as to what pictures he should buy this definition is more or less academic. Many exhibitors do not want foreign pictures, no matter under what conditions they are made.

The provisions against forcing shorts and foreigns is clear-cut and unequivocal, and the remedy definite and certain. When the exhibitor is forced to buy such pictures along with his features, he may demand arbitration for getting rid of them, provided he sends a written notice to the distributor's home office not later than two days after receiving notice of the fact that his contract had been approved. The arbitrator will have power to make a finding as to whether the licensing of the desired features was conditioned upon the purchase of the "shorts" or "foreigns," and, if so, to make an award cancelling the contract for the "forced" products.

In commenting upon this provision, Mr. Myers says:

"It will be recognized that this is a great advance over such proposals in the past which would have required the exhibitor to give notice of his claim within a certain number of days after his application was signed and before it was finally approved, thus endangering his contract as to the desired features. Under those earlier proposals, if the home office cancelled his entire contract, as it was free to do, the exhibitor faced the probability that the exchange in negotiating a new contract would simply add the price of the unwanted product to the product licensed.

"But the decree does not stop here. It recognizes that an exhibitor may not want to risk obtaining relief from a contract including forced products. And so it provides that where no license has been entered into, controversies as to whether a distributor has tried to force features, shorts, westerns or foreigns may also be arbitrated. In such cases the exhibitor must give written notice to the distributor not later than five days after the alleged attempt was made. The arbitrator, if he finds that the offer of features was in fact conditioned upon the licensing of other features, shorts, etc., may make an award imposing a penalty of \$500 on the offending distributor to be paid into the Arbitration Fund.

"Exhibitors may ask why they should maintain a proceeding for the imposition of a penalty that does not benefit them directly. Obviously, a favorable finding by the arbitrator will pave the way for the exhibitor to negotiate a contract for the desired product without further insistence that he accept undesired product. Moreover, the finding and penalty will insure that the exchange in question will be careful not to repeat the offense against the complaining exhibitor or any other. Alert regional exhibitor associations will be interested in the conduct of such proceedings for the benefit and protection of all their members."

(To be continued next week)

ALLIED THEATRE OWNERS OF THE
NORTHWEST, INC.

November 4, 1940.

Mr. Pete Harrison
New York.

Dear Pete:

I have noted with interest the articles published in REPORTS relative to student admissions. I am at a loss to understand why exhibitors take the position that student admissions are a "reduced adult admission."

In so doing, they set up and establish the basis for such a ruling as given by Mr. Christie in your issue of October 26.

You will note from the letter to Mr. Anderson of the local Internal Revenue Bureau, that it is the contention of Northwest Allied that a student's admission price is no more a reduced adult admission than a "children's price" is a reduced "student price."

I think the exhibitors' approach to this whole question has been on the wrong premise.

At least, Northwest Allied is going to attempt to have the Treasury Department review this matter and if we are unsuccessful there, we intend to take it to the Board of Tax Appeals.

In the meantime, exhibitors should certainly start to work on their Congressmen to get this law speedily amended.

Cordially and sincerely,
Allied Theatre Owners of the
Northwest, Inc.
FRED H. STROM
Executive Secretary

November 2, 1940.

Mr. George Anderson
Internal Revenue Dept.
180 E. Kellogg Blvd.
St. Paul, Minnesota

Dear Mr. Anderson:

Supplementing our verbal conversation on the question of collecting a theatre tax on 20c "student admissions," there has just come to my attention, a letter from the Treasury Department, dated September 7, 1940, over the signature of Adelbert Christie, Acting Deputy Commissioner, addressed to our Association Counsel, Abram F. Myers, of the Allied States Association of Motion Picture Exhibitors in Washington.

Mr. Christie says, "It must be held, therefore, that students or other children twelve years of age and over, admitted for a price less than the established price of admission to adults, are liable for tax based on the regular established price to adults for the same or similar accommodations."

The writer and our association protest this interpretation of the tax law, and this ruling, and contend it has no validity or basis in fact or in the law itself, and is therefore untenable.

Mr. Christie's interpretation that the price of 20c or 15c is a "reduced adult admission," is a wholly erroneous conclusion. The writer does not see how it is possible to conclude that an adolescent admission is any more an adult admission than it would be to contend that a child admission could be interpreted as being a reduced adolescent or student admission.

These three grades of admission prices have been an established scale for many years in our theatres. The student admission price was not hastily or suddenly set up overnight after the passage of the amendment to the law.

The fact that the law specifically recognized a children's admission for any child under the age of twelve, plainly established the recognition, in the law, that there are various grades and scales of admission prices, fitting particularly theatre seating arrangements or classes and grades of admission prices.

The writer and our association take the position that the Treasury Department should review and reconsider this ruling. We would, therefore, appreciate a prompt response so that we may be able to govern and advise future actions of our exhibitor members accordingly.

Cordially and sincerely,
(Signed) Fred H. Strom-Ex. Sec.-N. W. Allied

PICTURES NOW IN PRODUCTION

Metro-Goldwyn-Mayer

"KEEPING COMPANY," with John Shelton, Ann Rutherford, Frank Morgan, Virginia Weidler, Irene Rich, and others. A program picture with a poor title.

"WILD MAN OF BORNEO," with Frank Morgan, Billie Burke, Donald Meek, and others, produced by Joseph Pasternak, and directed by Robert Sinclair. Evidently a comedy, of good program grade.

Paramount

"LADY EVE," with Barbara Stanwyck, Henry Fonda, Charles Coburn, Eugene Pallette, William Demarest, Eric Blore, and others, produced by Paul Jones, and directed by Preston Sturges. The quality will depend on the story. Its box office value is pretty good, and with a good story it might be good and even very good.

"IN OLD COLORADO," with William Boyd. A western.

Republic

"A FLAGPOLE NEEDS A FLAG," with Lloyd Nolan, Doris Davenport, Frank Albertson, Robert Armstrong, and Paul Harvey, directed by Joseph Santley. Fair cast, good director, should make a good program picture with a good story.

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WHAT THE CONSENT DECREE PROVIDES — No. 2

(Continued from last week)

This is a brief interpretation of the most important points of the Consent Decree.

In last week's issue I stated that, when an exhibitor is forced by the salesman to buy either "shorts" or "foreigns" in order that he might be allowed to contract for the features, he may obtain relief by resorting to arbitration. He may resort to arbitration also when he is forced to buy two or more five-picture blocks when he wants to buy only one block.

Neutralizing "Buying Power"

Article "V" of the Consent Decree reads as follows:

"No license for features to be exhibited in theatres located in one exchange district shall include theatres located in another exchange district, nor shall the licensing of features for exhibition in theatres located in one exchange district be conditioned upon the licensing of a feature or group of features for exhibition in theatres located in another exchange district."

Commenting on this provision, Mr. Abram F. Myers, Allied counsel, said partly the following:

"One of the provisions aimed at curbing circuit buying power is the requirement that no license for features to be exhibited in one exchange district shall include theatres located in another exchange district, and that the licensing of features for exhibition in theatres located in one exchange district shall not be conditioned upon the licensing of a feature or group of features for exhibition in theatres located in another exchange district.

"In other words, a distributor, in negotiating with a circuit, may not include as a part of a single deal pictures to be exhibited in more than one exchange district, nor can the deal as to the theatres in one district be conditioned upon the negotiation or acceptance of a deal for the theatres in another district.

"The obvious purpose is to decentralize buying power by requiring a circuit operating in more than one district to make separate deals as to its theatres in each district. The language is too broad to require that the separate deals as to each district must be made within that district. Circuit deals can still be negotiated in New York or at the headquarters of the circuit. But the deals must be separate and one may not be conditioned upon another. . . ."

If an exhibitor should discover that this provision has been violated to the detriment of his interests he may bring an action before the arbitration board. A fine of \$500 is imposed.

This provision would have been far more effective if it were to include a prohibition against deals for theatres in the same exchange territory but in different zones; that is, a deal for either one theatre or for a group of theatres in one zone should not include theatres in another zone, nor should the signing of the contract be made conditional upon selling to the circuit's theatres in other zones. But the concession obtained is beneficial without the suggested improvement. It is a step forward, and the independent exhibitors should feel grateful for it.

Prohibiting Refusal to Sell a Run

Article "VI" of the Decree reads partly as follows:

"No distributor defendant shall refuse to license its pictures for exhibition in an exhibitor's theatre on some run (to be designated by the distributor) upon terms and conditions fixed by the distributor which are not calculated to defeat the purpose of this Section, if the exhibitor can satisfy reasonable minimum standards of theatre operation and is reputable and responsible, unless the granting of a run on any terms to such exhibitor for said theatre will

have the effect of reducing the distributor's total film revenue in the competitive area in which such exhibitor's theatre is located. . . ."

Some producers have made it a practice to sell their pictures in some territories exclusive run, and the independent exhibitor competitor could not get these pictures, on any run, no matter how much money he offered. The difficulty of framing a provision to take care of this abuse has been the desire to avoid letting down the bars either to non-theatrical or to fly-by-night places. The provision, as framed, is, according to Mr. Myers, as good as could be devised.

Commenting further upon this provision, Mr. Myers said:

" . . . there is no present sanction in the law for fixing the terms upon which a run may be granted. The authors have attempted to curb the power of the distributor to prevent the granting of the run by merely demanding exorbitant terms. Their solution of the difficulty was to provide that the terms shall not be 'calculated to defeat the purpose of this Section.'"

In reference to the provision that the run will be granted on terms that do not violate the spirit of this provision, but that will not have the effect of reducing the distributor's total film revenue in the competitive area in which the exhibitor's theatre is located, Mr. Myers says: "The burden of proof of showing that the granting of a run will reduce the distributor's total revenue rests upon the distributor."

Arbitration is provided in case the distributor refuses to give the exhibitor pictures of some run.

Pictures that Offend People

Article "VII" reads partly as follows:

"Controversies arising upon the complaint of an exhibitor that a feature licensed to him by a distributor defendant for exhibition in a particular theatre is generally offensive in the locality served by such theatre on moral, religious or racial grounds shall be subject to arbitration. . . ."

This article provides that the exhibitor must send to the distributor's Home Office a written notice that he desires to have a feature cancelled on the grounds referred to in this article, not later than ten days after receiving a written notice of his contract's approval.

Commenting upon this provision, Mr. Myers said:

"The chief criticism of this Section is that it places on the exhibitor the burden of determining within ten days after the approval of his contract whether the picture is offensive, not to himself, but to the members of his community. Doubt has been expressed whether this would allow sufficient time for public sentiment to express itself. . . ."

In view of the fact that the distributors will trade-show all pictures before offering them for sale, an exhibitor will have an ample opportunity of determining that a picture will offend the people of his community, either from personal observation, a report of his representative, or his favorite reviewer. For this reason I believe that very few controversial cases of this type will arise.

Clearance Disputes

Article "VIII" reads partly as follows:

"Controversies arising upon complaint of an exhibitor that the clearance applicable to his theatre is unreasonable shall be subject to arbitration under the following provisions:

"It is recognized that clearance, reasonable as to time and area, is essential in the distribution and exhibition of motion pictures. . . ."

(Continued on last page)

"Cherokee Strip" with Richard Dix

(Paramount, October 11; time, 86 min.)

This has all the excitement of the typical western, with stronger than program possibilities because of the well known players. The picture has the kind of action the fans want—fighting, shooting, thrills, and fast horseback riding. Added to this is comedy and a pleasant romance:—

Richard Dix leaves Texas to take the job of Marshal at the frontier of Cherokee Strip in Oklahoma; his purpose was to trace the gang that had been rustling cattle from his ranch. He is greeted by Victor Jory, the village banker. At one time, Jory's and Dix's families had carried on a feud in Texas, but it had been stopped by the signing of an agreement. Dix is, however, suspicious of Jory. He learns that he was connected with a gang of outlaws who controlled Cherokee Strip, refusing to permit any settlers on the land. Dix pays an unexpected visit to the Strip and there finds his own cattle. He obtains proof that William Henry, a government employee, brother of Florence Rice, whom he loved, had been killed by one of Jory's gang. With the help of his own brother and kinfolk, Dix gets the information he needed, and wipes out Jory and his gang. The Cherokee Strip is opened to settlers. Dix goes along with Miss Rice and her father to the new land, to assume new duties.

Bernard McConville wrote the story, and he and Norman Houston, the screen play. Lesley Selander directed it, and Harry Sherman produced it. In the cast are Andy Clyde, George E. Stone, Douglas Fowley, Addison Richards, and others.

Suitability, Class A.

"Nobody's Children" with Edith Fellows

(Columbia, October 17; time, 65 min.)

According to the Columbia press sheet, this story has been based on a regular broadcast series conducted by Walter White, Jr., on behalf of the Children's Home Finding Society of Los Angeles. The purpose for the production of this picture may have been worthy, but it certainly makes for dull screen entertainment. The action is extremely slow-moving; and, except for a few scenes of the "tear-jerker" variety, the story is unimpressive. Its best outlet would be as a second feature in neighborhood theatres:—

As a result of the weekly radio broadcasts held by the Children's Home Society, in which the orphans themselves speak to the listeners, many children are adopted. Edith Fellows, one of the inmates, a hopeless cripple, and her brother (Billy Lee) give up hope of ever being adopted, because they refuse to be separated. Despite the sorrow her separation from Billy would bring her, Edith, at the suggestion of the superintendent (Georgia Caine), persuades Billy to accept adoption by a kind childless couple. To the surprise and happiness of all, Edith herself is adopted by a wealthy couple. Billy, unhappy away from Edith, purposely acts like a bad boy and is sent back to the orphanage. Edith's foster parents engage a famous specialist to operate on her. But the operation is a failure, and Edith knows it; she is heartbroken. The family housekeeper (Mary Gordon) tells her to have faith. While the nurse was out of the room one night, Edith, in an effort to reach for the Bible, falls out of bed and is struck unconscious. The result of the fall, however, works to her benefit; with further treatment, she is able to walk. She is completely happy when her new parents adopt Billy, too.

Doris Malloy wrote the story, and Charles Barton directed it. In the cast are Lois Wilson, Ben Taggart, Mary Currier, Lillian West, and others.

Suitability, Class A.

"Li'l Abner" with Granville Owen

(RKO, November 1; time, 78 min.)

Mediocre! It is strictly for the followers of the comic strip from which this was adapted. As a matter of fact, it would fit best on a Saturday matinee program for the juvenile trade. Those who are not familiar with the comic strip on which it has been based won't know what the picture is all about, for the characters are ridiculously burlesqued, and the whole thing is extremely silly. The pace is slow, and most of the story revolves around the strange actions of the equally strange characters:—

The twenty-year-old son of Mammy and Pappy Yokum, who both measured less than five feet, was Li'l Abner, who measured 6' 3". Abner loved to eat and be carefree. Although he loved Daisy Mae, he did not want to tell her so for fear that she would want to marry him. The thing that worried him was that maybe on annual Sadie Hawkins Day some girl might catch him and claim him for her husband.

Cousin Delightful tries to teach Daisy Mae how to make Li'l Abner propose, but it does not work. Because of too much food, Li'l Abner gets a stomach ache. He was talking to a barber and, thinking he was a doctor, complains about his stomach ache. The barber tells him that he would die the next day. Feeling that he had nothing to lose, he promises to marry Daisy Mae; then he has to promise marriage to Wendy Wildcat, who had saved him from harm. A reserved sign is put on Li'l Abner, meaning that only the two girls could go after him in the Sadie Hawkins' Day race—the first to catch him would marry him. Daisy Mae finally wins. Li'l Abner is too scared to tell her he loved her, but he finally blurts it out, making her happy.

Charles Kerr and Tyler Johnson wrote the screen play, Albert S. Rogell directed it, and Herman Schlom produced it. In the cast are Martha O'Driscoll, Mona Ray, Johnnie Morris, Buster Keaton, Billie Seward, Kay Sutton, and others.

Suitability, Class A.

"Glamour For Sale" with Roger Pryor and Anita Louise

(Columbia, September 27; time, 59 min.)

Ordinary program entertainment. Not only is the plot trite but it is unpleasant as well, for it revolves around racketeering, and is somewhat demoralizing. The only thing in its favor are the performances by the leading players, whose efforts save the picture from complete mediocrity. There is a romance, but it is incidental:—

Anita Louise, an employee of an escort bureau that catered to men who wanted the company of a respectable young woman for an evening, receives an assignment to spend the evening with Roger Pryor. They are joined by another man (Arthur Loft), and a girl (June MacCloy), who had come from another escort bureau. Loft did not know that her company was a blackmailing outfit owned by Don Beddoe. Beddoe's henchmen take a picture of Loft in company with the two girls and Pryor and, the following day, threaten to print the picture unless Loft paid them; they knew he was married and that he held a responsible position. Fearing the consequences, Loft kills himself. Miss Louise then learns that Pryor was a detective, investigating the escort bureau racket. She agrees to work with him. Her first job was to pretend to befriend Miss MacCloy, by shielding her in the investigation of Loft's death. She is then introduced to Beddoe, and, by pretending that she was interested in making money, induces him to engage her. She gets all the information she needed. Just as Pryor was ready to crack down on him, Beddoe finds out about the whole thing. He tries to escape and to take Miss Louise with him. But the police capture him. Miss Louise and Pryor plan to marry.

John Bright wrote the original screen play, and D. Ross Lederman directed it. Wallace MacDonald was the producer. In the cast are Frances Robinson, Veda Ann Borg, and others.

Unsuitable for children or adolescents. Class B.

"The Old Swimmin' Hole" with Jackie Moran and Marcia Mae Jones

(Monogram, October 21; running time, 79 min.)

This is supposed to be the first picture that Scott Dunlap, production head at the studio, has produced for Monogram, but it is nothing for him to brag about. The story is light weight, for what the characters do might just please children but will leave adults unmoved. There is a romance between two elderly people—a doctor and the young boy-hero's mother, but it will not inspire young folk at all:—

The young hero, a boy about fifteen, son of a widowed mother, is friends with the town's doctor. He has so much love for dogs that he learns how to mend their broken legs. The boy is happy until the doctor's daughter, a young girl about his age, comes to town; then everything is upset, for she insists that she be taken into the cabin where the town's boys were conducting the meetings of their secret order. While the boy was delivering groceries, the young girl undresses and takes a dip in the swimming hole in front of the cabin. A youngster, too young to be admitted into the order, steals the young girl's clothes and the young hero, mortified, has to wrap up the girl in the table cover taken from the cabin. Finally the two become the means whereby the boy's mother and the girl's father marry.

The plot was taken from an original by Gerald Breitigan; it was put into screen-play form by Dorothy Reid. Robert McGowan directed it.

Suitability, Class A. Might suit a double bill.

"Who Killed Aunt Maggie?" with John Hubbard and Wendy Barrie
(*Republic, November 1; time, 69 min.*)

A pretty good program comedy-murder mystery melodrama. The melodramatic action is too far fetched to be taken seriously; yet the followers of mystery pictures may enjoy it, for the murderer's identity is not revealed until the end. The stress is put on the comedy; and, in that respect, it is good. Laughter is provoked not only by situation but also by dialogue. The romance is of slight importance:—

John Hubbard, radio advertising executive, and Wendy Barrie, his assistant, are about to be married. But when he expresses doubts as to her talents as a writer of radio mysteries they quarrel and the wedding is called off. Having received a telegram from her aunt (Elizabeth Patterson), telling of the serious condition of her great-uncle, Miss Barrie decides to go back home; she leaves without saying goodbye to Hubbard. Shortly after her departure, Hubbard receives a message from a relative warning Miss Barrie not to go back home. This worries Hubbard, and he rushes after Miss Barrie to protect her. By the time he arrives, he learns that the uncle had died but that his body had disappeared. Soon thereafter Miss Patterson is killed and her body, too, disappears. Finally a third person, a niece (Mona Barrie), married to a doctor (Walter Abel), is killed; she had discovered a secret room in the house, and the murderer had killed her to silence her. At last Miss Barrie and Hubbard stumble onto the secret of the mysterious room, where they find the bodies of both the uncle and aunt. It develops that Abel was the murderer: he had killed the uncle because he was investigating his past, the aunt because she knew too much, and his own wife because she had found out about the murders. With the case solved, Miss Barrie and Hubbard return to New York and are married. He is compelled to admit that maybe Miss Barrie's radio script would be acceptable.

Medora Field wrote the story, and Stuart Palmer, the screen play; Arthur Lubin directed it, and Albert J. Cohen produced it. In the cast are Edgar Kennedy, Onslow Stevens, Joyce Compton, Willie Best, and others.

Not for children. Class B.

"Youth Will Be Served" with Jane Withers, Jane Darwell and Joe Brown, Jr.
(*20th Century-Fox, November 22; time, 66 min.*)

For all Jane Withers' efforts, this picture is just ordinary entertainment, suitable mostly for her fans. The story is slow; it does not pick up speed until almost the closing scenes, causing slight excitement. The only outstanding feature is the introduction of a new colored singer, who has a fine voice; he and Jane manage to put some life into the scenes of the amateur show in which they appear:—

When Jane's father (John Qualen), a backwoods southerner, is arrested and sent to prison for moonshining, Jane and her only friend (Joe Brown, Jr.), set out together to reach Qualen so as to help him. Being without funds, they find it necessary to hop freight trains. But they find this unpleasant and are forced to get off. Against her will, Jane goes to a N.Y.A. government camp where young girls learned a trade; and Brown goes to a C.C.C. camp nearby. The kindness of some of the girls and of the matron (Jane Darwell), makes Jane happy, and in a short time she finds working there pleasant. She writes to her father, telling him how fortunate she was; but Qualen, not knowing how to read, asks his cellmate to read it to him. The cellmate reads something that did not even appear in the letter, leading Qualen to believe that Jane was mistreated. He wanted to induce Qualen to break jail with him, his purpose being to use Qualen as a guide to help him get to a section near Qualen's former home where he had hidden a large sum of stolen money. In the meantime, Jane, knowing that wealthy Tully Marshall was trying to arouse the people of the community against the government camps so as to force them out and then buy the land, thinks of a plan: why not give a free show and win the good will of the people? Her plan works and even Marshall is touched. During the show, Jane hears that her father and the crook had escaped; she rushes out to her old home in search of him. Just before the police close in, she finds him. She and her father courageously risk their lives to capture the crooks. Qualen wins his freedom, and Marshall withdraws his objections to the camps.

Ruth Fasken and Hilda Vincent wrote the story, and Wanda Tuchock, the screen play; Otto Brower directed it, and Lucien Hubbard produced it. In the cast are Robert Conway, Elyse Knox, Lillian Porter, and others.

Suitability, Class A.

"One Night in the Tropics" with Allan Jones, Robert Cummings and Nancy Kelly
(*Universal, November 15; time, 83 min.*)

A pleasant romantic comedy with music. The story is lightweight, but it serves well enough as a framework for the musical numbers and comedy situations. Moreover the production is lavish and the acting is good. Bud Abbott and Lou Costello, two comedians, known nationally by their radio work, make their initial screen appearance. Their routines may not be new, but they put them over very well; they should become popular with picture patrons:—

Robert Cummings plans to marry Nancy Kelly. While rushing to her apartment, he knocks down Mary Boland, not knowing that she was Miss Kelly's aunt. When they meet formally, Miss Boland warns her niece not to marry Cummings. While he was talking to Miss Kelly the following morning over the telephone, Peggy Moran, his former girl friend, enters and starts a scene, for she still loved him and wanted to marry him. Cummings starts saying silly things to Miss Kelly so that Miss Moran would not know to whom he was talking. This so angers Miss Kelly that she calls off the wedding. Allan Jones, Cummings' best friend, induces him to take out a "love insurance" policy for \$1,000,000 against Miss Kelly's refusal to marry him. Jones feels certain that the marriage would go through, because he had had the luck of never having had to pay off on a policy. Jones induces William Frawley, tough night club operator, to underwrite half the policy. When Jones learns that Miss Kelly and her aunt were sailing for San Marcos, he books passage for Cummings and himself on the same boat. But Miss Moran gets Cummings drunk; he misses the boat and Jones sails alone. He and Miss Kelly become good friends, and fall in love. In the meantime, Frawley had instructed his two henchmen (Abbott and Costello) to see that nothing goes wrong with the marriage plans. Cummings eventually arrives at San Marcos, but Miss Moran and Abbott and Costello follow him there. Miss Kelly learns about the policy and is furious. But finally everything is adjusted. Cummings realizes he really loved Miss Moran and so he marries her, thus voiding the policy; and Jones and Miss Kelly marry.

Earl Derr Biggers wrote the story, and Gertrude Purcell and Charles Grayson, the screen play; A. Edward Sutherland directed it, and Leonard Spigelgass produced it. Leo Carrillo, Barnett Parker, Don Alvarado, and others are in the cast.

Suitability, Class A.

"Friendly Neighbors" with Leon Weaver and the other Weavers
(*Republic, November 7; time, 67 min.*)

Just one of those nice but meaningless double-bill pictures with the Weaver gang. There is singing, as is usual in all pictures in which the Weaver brothers appear, and which singing is evidently popular in small towns.

It is a sort of "Grapes of Wrath" story, in which the Weavers are compelled to leave their little town because of the drought, to go to some other place where they might have a better chance at making a living as farmers. They join some other migrants who disliked being called either tramps, or hoboes, or whatever other name might be given to itinerant farmers. The sheriff, induced by the region's property owners, swoops upon the "hoboes" and drives them out of that region. The Weaver brothers and a young man, leader of the hoboes, take refuge at Williamsville, which had become a ghost town because of floods during the rainy season. They meet the young heroine, granddaughter of an elderly blind woman, who had founded the town, and learn from the young girl that her grandmother still believed that the town had been inhabited, and that it had kept growing. The Weavers and the young man are treated so well by the blind woman that they feel grateful. Realizing that the town would still be thriving had a levee been built to stop the floods, they proceed to induce the Governor to make the necessary appropriation. Because there were no inhabitants, the Governor refuses to help them, but the young man sends word and all the hoboes flock into town, with the result that they obtain the Governor's promise for help which promise he keeps, for political reasons, even after he became aware of the deception. The young man and the granddaughter of the blind woman become engaged with the blessing of the old woman, whose eyesight had by this time been restored.

The plot has been founded on a story by Dorrell and Stuart McGowan. Armand Schaefer produced it, and Nick Grinde directed it.

Suitability, Class A.

There are given in this article seven different provisions which the arbitrator will have to take into consideration in determining whether clearance, either in time or area, or in both, is unreasonable: Its historical development; admission price; character and location of the theatres; policy of operation (double-features, gift nights, give-aways, premiums, cut-rate tickets, lotteries, etc.); rental terms and license fees paid and the revenues derived by distributor-defendant; extent of competition between or among theatres involved; and total disregard whether a theatre is affiliated with a distributor or a large independent theatre circuit.

Commenting upon this article, Mr. Myers said:

"Controversies arising upon the complaint of an exhibitor that the clearance applicable to his theatre is unreasonable, may be arbitrated between the complaining exhibitor and the distributor.

"This also is a clear advance over any similar proposal in the past. It recognizes that the right to control clearance resides in the distributor by virtue of its copyright. It refutes the theory that the clearance belongs to circuits by virtue of their buying power.

"The prior exhibitor whose clearance is brought into question may intervene and participate in the hearing but the proceeding is initiated by a complaining exhibitor against a distributor. In this way, the authors of the decree have overcome the difficulty of obtaining the consent of the circuits to arbitrate clearance—an unsurmountable obstacle in the proposed voluntary trade practice code. . . ."

(To be continued next week)

HERE AND THERE

I ASKED ABE MONTAGUE, general sales manager of Columbia Pictures Corporation, whether he is going to withhold "Arizona" from the 1939-40 season's accounts, and he read to me over the telephone a letter he had sent to Mr. Abram F. Myers, who had made the same inquiry. The letter reads as follows:

"It is our ambition to seek the cooperation of our accounts in the United States so that we may release Arizona as a special during the releasing season of 1940-41."

Notice that the letter does not state what Columbia will do in the event that some of those accounts did not display a willingness to cooperate, but insisted upon the delivery of the picture. Perhaps it will call their attention to Clause "A" of the Schedule in the contract, which stipulates that the contract is good only for one year, beginning September 1, 1939, and ending September 30, 1940. Montague told me that, because his company failed to produce it before September 30, 1940, no exhibitor holding a 1939-40 season's contract has any right to it.

RECENTLY, SIDNEY SAMUELSON, Allied leader and one of the members of "AID" (Allied Information Department) sent to Montague a letter and received so discourteous a reply that The Independent Theatre Owners of Ohio, at their Annual Convention held on October 29, 30 and 31, passed the following resolution:

"NOW, THEREFORE, BE IT RESOLVED by the Independent Theatre Owners of Ohio at its Eighth Annual Convention in Columbus this thirty-first day of October, 1940, that we resent the tone and tenor of Mr. Montague's letter and interpret it not only as an unwarranted affront to a leader who has devoted years of unselfish service to the independent exhibitors but also as a deliberate and studied insult to Allied States Association; and that Mr. Montague's position that he will not respond to inquiries submitted by AID in behalf of Allied States Association is both arrogant and arbitrary and calculated to create ill feeling and misunderstanding at a time when all branches of the industry should be drawing closer together for the common good."

* * *

I HAVE BEEN TOLD THAT the reason for Montague's discourtesy to Mr. Samuelson has been caused by his personal dislike of him. If that is so, then Montague lets his personal feelings overcloud his judgment. After all, Samuelson, as head of AID, represents thousands of theatre owners, selected by them to serve their interests. Consequently, any discourtesy he shows to a representative of theirs is a discourtesy shown to them. And many of these have been Columbia's customers for a long time.

* * *

IN CONTRAST TO THE BEHAVIOR of Montague is the behavior of Arthur Kelly, vice president and general sales manager of United Artists. AID has felt that "Foreign Correspondent" is nothing but "Personal History,"

and Mr. Kelly, in order to convince it and all other exhibitors that it is not, attended the Columbus convention and submitted his facts, not only orally to the convention, but also to the AID committee. As a result, the November 6 Bulletin of the Ohio exhibitors, edited by Pete Wood, contains the following about him:

"That we are progressing in the proper direction is evidenced by what occurred at the Ohio Convention last week when Arthur W. Kelly, Vice-President of United Artists, took the time to make the trip from New York to address the convention regarding a matter that many of their customers felt had been handled to their detriment. Mr. Kelly, in a very sincere and honest manner, laid all of his cards on the table and it is our feeling that the matter will be adjusted to the satisfaction of all concerned."

* * *

IN CONTRAST TO MONTAGUE'S behavior is also that of W. F. Rodgers, general manager of distribution of Metro-Goldwyn-Mayer. Mr. Rodgers does not hesitate to attend exhibitor conventions in an effort to gain exhibitor good will, even though his company needs it the least. The Bulletin has a good word also for Mr. Rodgers; it says:

"Bill Rodgers of Metro is also a firm believer in meeting situations face to face and, while in this case good product has had something to do with it, we believe that their courteous and business-like treatment of their customers has had a lot to do with the success of Metro."

The Bulletin closes as follows:

"Being firm believers in flowers for the living, we hereby toss bouquets of orchids to both Metro and United Artists, and dandelions to Columbia."

Some of these days Abe Montague will find out that customer good will means something; Warner-First National found it out around 1930.

* * *

WHAT SURPRISES THIS PAPER is the fact that when a system is proposed to put an end to this sort of producer-distributor abuses they fight it. I am referring to the Consent Decree, which will require the trade-showing of pictures before selling.

As this paper has said once before, some exhibitors are gluttons for punishment.

PICTURES NOW IN PRODUCTION

RKO (Radio) Pictures

"SAINT IN PALM SPRINGS," with George Sanders and Wendy Barry, produced by Howard Benedict and directed by Jack Hively. A program picture of the "Saint" series.

Republic

"BOWERY BOY," with Dennis O'Keefe, Louise Campbell, Jimmy Lydon, Helen Vinson, and others, produced by Armand Schaefer. A sort of "Dead End Kids" story, in which the hero, a physician in the Bowery, causes the reform of a sixteen-year-old boy, leader of the gang. Good program.

"LONE STAR RAIDERS," with Bob Livingston, Bob Steele, and others. A western of the Mesquites series.

Universal

"BACK STREET," with Margaret Sullavan, Charles Boyer, Richard Carlson, Frank McHugh, and Frank Jenks, produced by Bruce Manning, and directed by Robert Stevenson. This Fannie Hurst novel was put into pictures by Universal in 1932, with excellent results. Irene Dunne and John Boles were the stars. Whether a story of this kind can be repeated successfully, however, we shall not know until after the new version is completed. It is the story of a married business man who meets the heroine, his former sweetheart; the spark of love is revived and he sets her up in a private apartment. Their relationship eventually becomes known to the hero's family. What has prompted Universal to give Miss Sullavan the leading part is undoubtedly the fact that she appeared successfully in a similar part in "Only Yesterday," also a Universal picture, which was produced several years ago, and in which the leading male player was also John Boles. The Universal production executives should cross their fingers.

Warner-First National

"FOOTSTEPS IN THE DARK," with Errol Flynn, Ralph Bellamy, Brenda Marshal, Alan Hale, Allen Jenkins, and Grant Mitchell, produced by Robert Lord and directed by Lloyd Bacon. Excellent lead, good supporting cast, very good producer and director should make a very good picture, from both the box office and the entertainment point of view.

IN TWO SECTIONS—SECTION TWO
HARRISON'S REPORTS

Vol. XXII

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RELEASE SCHEDULE FOR FEATURES

Columbia Features

(729 Seventh Ave., New York, N. Y.)

1939-40 Season

1039	Secret Seven—Rice-Bennett	Aug. 15
1006	He Stayed For Breakfast—Douglas-Young	Aug. 22
1022	Five Little Peppers in Trouble—Fellows	Sept. 1
1024	Before I Hang—Karloff	Sept. 17
1001	The Howards of Virginia—Grant-Scott	Sept. 19
1040	Glamour For Sale—Pryor-Louise (59 min.)	Sept. 27
1009	Angels Over Broadway—Fairbanks, Jr.	Sept. 30

(End of 1939-40 Season)

Beginning of 1940-41 Season

2201	Durango Kid—Starrett (62 min.)	Aug. 15
2032	Fugitive from a Prison Camp—Holt	Sept. 5
2209	Prairie Schooners—Bill Elliott (58 min.)	Sept. 30
2018	So You Won't Talk—Joe E. Brown	Oct. 3
2030	Nobody's Children—Fellows-Lee	Oct. 17
2202	West of Abilene—Starrett (57 min.)	Oct. 21
2038	Girls Under 21—Hudson-Kelly	Oct. 24
2016	Blondie Plays Cupid—Singleton-Lake	Oct. 31
2210	Beyond the Sacramento—Elliott (58 min.)	Nov. 14
2012	Escape to Glory (Passage West)—O'Brien (reset)	Nov. 21
	Lone Wolf Keeps a Date—William Ellery Queen No. 1 Master Detective—Bellamy-Lindsay	Nov. 23
2203	Thundering Frontier—Starrett (57 min.)	Dec. 5
	The Great Plane Robbery—Jack Holt	Dec. 9
	The Phantom Submarine—Louise-Bennett	Dec. 20
	Arizona—Arthur-Holden	Dec. 25
	This Thing Called Love—Douglas-Russell	Dec. 31
2211	Wild Cat of Tucson—Elliott	Dec. 31

First National Features

(321 W. 44th St., New York, N. Y.)

Beginning of 1940-41 Season

554	No Time For Comedy—Russell-Stewart	Sept. 14
569	Father Is a Prince—Mitchell-Bryant	Oct. 12
561	Tugboat Annie Sails Again—Rambeau-Hale	Oct. 26
570	Always a Bride—R. Lane-Reeves-Eldredge	Nov. 2
562	East of the River—Garfield-Marshall (r.)	Nov. 9
552	The Letter—Davis-Marshall-Stephenson	Nov. 23

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

Beginning of 1940-41 Season

101	Dr. Kildare Goes Home—Ayres-Day	Sept. 6
102	Wyoming—Beery-Carrillo-Rutherford	Sept. 13
104	Haunted Honeymoon—Montgomery-Cum'gs	Sept. 20
103	Strike Up the Band—Rooney-Garland	Sept. 27
105	Sky Murder—Pidgeon-Meek-Verne	Sept. 27
106	Dulcy—Sothern-Hunter-Young-Gardiner	Oct. 4
107	Third Finger, Left Hand—Loy-Douglas	Oct. 11
	No release for	Oct. 18
109	Hullabaloo—Morgan-Grey-Burke-Meek	Oct. 25
108	Escape—Shearer-Taylor-Veidt (reset)	Nov. 1
110	Bittersweet—MacDonald-Eddy	Nov. 8
111	Gallant Sons—Cooper-Reynolds-Hunter	Nov. 15
112	Little Nelly Kelly—Garland-Murphy	Nov. 22
113	Comrade X—Gable-Lamarr	Nov. 29
	Go West—Marx Brothers	Dec. 6
	Dr. Kildare's Crisis—Ayres-Barrymore	Dec. 13
	Keeping Company—Morgan-Rutherford	Dec. 20

Monogram Features

(630 Ninth Ave., New York, N. Y.)

Beginning of 1940-41 Season

4024 *Orphans of the North*—native cast (57 min.) July 29
4008 *Doomed to Die*—Boris Karloff Aug. 5
The Range Busters—Corrigan-King—Terhune (53 min.) Aug. 22
4003 *Queen of the Yukon*—Bickford-Rich Aug. 26
4014 *Up in the Air*—Darro-Reynolds Sept. 2
4020 *Who Is Guilty?*—Ben Lyon Sept. 9
4021 *That Gang of Mine*—East Side Kids Sept. 23
The Ape—Boris Karloff Sept. 30
4011 *Drums of the Desert*—Byrd-Gray (63 min.) Oct. 7
Trailing Double Trouble—Range Busters (58 min.) Oct. 7
4010 *Old Swimmin' Hole*—Moran-Jones (re.) (79 min.) Oct. 21
Take Me Back to Oklahoma—Ritter No. 1 Nov. 11
Phantom of Chinatown—Keye Luke (re.) Nov. 18
West of Pinto Basin—Range Busters Nov. 25
Her Father's Daughter—Edith Fellows Dec. 22
Under Texas Stars—Ritter Dec. 29

Paramount Features

(1501 Broadway, New York, N. Y.)

1939-40 Season

3945 *The Great McGinty*—Donlevy-Angelus Aug. 23
3946 *North West Mounted Police*—Cooper-Carroll-Goddard-Foster Nov. 22
(End of 1939-40 Season)

1940-41 Season

4007 *Christmas in July*—Powell-Drew Oct. 25
4008 *Dancing on a Dime*—Paige-Frawley Nov. 1
4009 *Arise My Love*—Colbert-Milland Nov. 8
4050 *Three Men From Texas*—Wm. Boyd (75m.) Nov. 15

Republic Features

(1776 Broadway, New York, N. Y.)

072 *Frontier Vengeance*—Red Barry (57 min.) Oct. 10
005 *Melody and Moonlight*—Downs-Colonna Oct. 11
001 *Hit Parade*—K. Baker-F. Langford Oct. 15
052 *Young Bill Hickok*—Roy Rogers (60 min.) Oct. 21
006 *Who Killed Aunt Maggie?*—Hubbard-Abel Nov. 1
007 *Friendly Neighbors*—Weaver-Elviry (67m.) Nov. 7
063 *The Trail Blazers*—Three Mesq. (58 min.) Nov. 11

RKO Features

(1270 Sixth Ave., New York, N. Y.)

041 *Stranger on the Third Floor*—Lorre Aug. 16
040 *Dance Girl Dance*—Ball-O'Hara-Hayward Aug. 23
043 *Wildcat Bus*—Wray-Lang Aug. 23
038 *Lucky Partners*—Rogers-Colman Aug. 30
086 *Triple Justice*—George O'Brien Sept. 27
(End of 1939-40 Season)

Beginning of 1940-41 Season

101 *Men Against the Sky*—Dix-Barrie-Taylor Sept. 6
102 *Dreaming Out Loud*—Lum and Abner Sept. 13
103 *I'm Still Alive*—Taylor-Hayes Sept. 27
181 *Wagon Train*—Tim Holt Oct. 4
105 *The Villain Still Pursued Her*—Louise (r.) Oct. 11
107 *Laddie*—Holt-Gilmore Oct. 18
104 *They Knew What They Wanted*—Laughton-Lombard-Gargan Oct. 25
106 *Too Many Girls*—Carlson-Ball (re.) Nov. 1
109 *Lil Abner*—Owen-Ray (78 min.) Nov. 1
111 *Mexican Spitfire Out West*—Velez-Errol Nov. 8
108 *You'll Find Out*—Kyser-Lorre-Karloff Nov. 22
182 *The Fargo Kid*—Tim Holt (63 min.) Nov. 22
110 *Little Men*—Francis-Oakie November

Twentieth Century-Fox Features

(444 W. 56th St., New York, N. Y.)

106 *Pier 13*—Bari-Nolan-Valerie Aug. 23
109 *Young People*—Temple-Oakie-Greenwood Aug. 30
110 *Charlie Chan at the Wax Museum*—Toler Sept. 6
105 *Public Deb No. 1*—Joyce-Auer-Murphy Sept. 13
116 *Yesterday's Heroes*—Sterling-Rogers Sept. 20
107 *Brigham Young, Frontiersman*—Power Sept. 27
108 *The Gay Caballero*—Romero-Martin Oct. 4
113 *Down Argentine Way*—Ameche-Grable (r.) Oct. 11
114 *Night Train*—Lockwood-Harrison Oct. 18
111 *The Great Profile*—Barrymore-Hughes (r.) Oct. 25
117 *The Mark of Zorro*—Power-Darnell Nov. 8
102 *Street of Memories*—Roberts-Kibbee Nov. 15
119 *Youth Will Be Served*—Withers-Darnell Nov. 22
120 *Tin Pan Alley*—Faye-Grable-Oakie-Payne Nov. 29
118 *Charter Pilot*—Nolan-Bari-Whelan Dec. 6
121 *Murder Over New York*—Toler-Weaver Dec. 13
122 *Jennie*—Gilmore-Henry Dec. 20
123 *Chad Hanna*—Fonda-Lamour-Darnell Dec. 27
115 *Hudson's Bay*—Muni-Field-Tierney (re.) Jan. 3

United Artists Features

(729 Seventh Ave., New York, N. Y.)

Pastor Hall—Lawson-Pilbeam Sept. 13
The Westerner—Cooper-Brennan-Davenport Sept. 20
The Son of Monte Cristo—J. Bennett-Hayward Nov. 8
Long Voyage Home—Payne-Mitchell Nov. 22
Blackout—Veidt-Hobson Nov. 29
(*"The Thief of Bagdad," listed in the last Index as a September 27 release, has been postponed*)

Universal Features

(1250 Sixth Ave., New York, N. Y.)

5046 *The Fugitive*—Wynyard-Richardson Sept. 20
5061 *Ragtime Cowboy Joe*—J. M. Brown (58m.) Sept. 20
5020 *The Mummy's Hand*—Foran-Moran Sept. 20
5001 *Spring Parade*—Durbin-Cummings Sept. 27
5019 *Diamond Frontier*—McLaglen-Nagel Oct. 4
5017 *A Little Bit of Heaven*—Jean-Stack Oct. 11
5024 *Slightly Tempted*—Herbert-Moran (60m.) Oct. 18
5062 *Law and Order*—J. M. Brown (57 min.) Oct. 18
Seven Sinners—Dietrich-Wayne Oct. 25
5036 *I'm Nobody's Sweetheart Now*—O'Keefe Nov. 1
5052 *The Devil's Pipeline* (Isle of Missing Men)—Arlen-Devine (66 min.) Nov. 1
5021 *Sandy Gets Her Man*—Baby Sandy-Erwin (64 min.) Nov. 8
5063 *Pony Post*—J. M. Brown Nov. 8
One Night in the Tropics—Jones-Kelly Nov. 15
5023 *Meet the Wildcat*—Bellamy-Lindsay Nov. 22
5048 *Next Time We Love*—reissue Nov. 22
The Bank Dick—Fields-Merkel Nov. 29
5026 *Margie*—Brown-Grey Dec. 6
Invisible Woman—Barrymore-Howard Dec. 13
Give Us Wings—Halop-Ford Dec. 20
Trail of the Vigilantes—Tone-Moran Dec. 27

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

1939-40 Season

412 *Flowing Gold*—O'Brien-Garfield Aug. 24
401 *The Sea Hawk*—Flyn-Marshall-Rains Aug. 31
(End of 1939-40 Season)

Beginning of 1940-41 Season

519 *Calling All Husbands*—Tobias-Truex Sept. 7
506 *City For Conquest*—Cagney-Sheridan Sept. 21
502 *Knute Rockne—All American*—O'Brien Oct. 5
511 *A Dispatch From Reuter's*—Robinson-Best Oct. 19
South of Suez—Brent-Marshall-Tobias Nov. 16
512 *Lady with Red Hair*—Hopkins-Rains Nov. 30

SHORT SUBJECT RELEASE SCHEDULE

Columbia—One Reel

1512 The Timid Pup—Color Rhapsody (7½m.) ... Aug. 1
 1860 Screen Snapshots No. 10—(9m.) Aug. 1
 1657 Community Sing No. 7—(10m.) Aug. 16
 1756 Peep in the Deep—Fables (6m.) Aug. 23
 1810 Fishing in Hawaii—Sports. (9½m.) Aug. 30
 1906 Our National Defense—Wash. Par. (10m.) Aug. 30
 (1976 "Squadron 992" has been withdrawn)

(End of 1939-40 Season)

Beginning of 1940-41 Season

2551 Historic Virginia—Tours (10m.) Aug. 16
 2971 Hobby Lobby—Cinescope (11½m.) Aug. 30
 2501 Tangled Television—Color Rhap. (7m.) Aug. 30
 2851 Screen Snapshots No. 1—(10½m.) Sept. 6
 2552 Savoy in the Alps—Tours (10½m.) Sept. 13
 2701 Schoolboy Dreams—Phantasies (6m.) Sept. 24
 2553 Old and New Arizona—Tours (9½m.) Sept. 27
 2751 Farmer Tom Thumb—Fables (6½m.) Sept. 27
 2651 Community Sing No. 1—(10½m.) Oct. 2
 2972 Floating Elephant—Cinescope (9m.) Oct. 4
 2502 Mr. Elephant Goes to Town—Color Rhapsody (7½ min.) Oct. 4
 2801 Master of Cue with Willie Hoppe—World of Sport (9 min.) Oct. 4
 2852 Screen Snapshots No. 2—(9m.) Oct. 18
 2901 The Mint—Washington Parade (re.) Oct. 25
 2702 Happy Holidays—Phantasies (6m.) (re.) ... Oct. 25
 2554 Islands of the West Indies—Tours (10m.) ... Oct. 25
 2752 Mouse Meets Lion—Fables Oct. 25
 2503 The Mad Hatter—Color Rhapsody (7m.) ... Nov. 3
 2973 Nice Work If You Can Do It—Cinescope. ... Nov. 8
 2652 Community Sing No. 2—(11m.) Nov. 8
 2601 Take It or Leave It—How's Your I.Q.? Nov. 22
 2555 Sojourn in Havana—Tours Nov. 25
 2802 Hunting Wild Deer—World of Sport Nov. 25
 2902 West Point—Washington Parade Nov. 28
 2703 Wallflower—Phantasies Nov. 29
 2504 Wise Owl—Color Rhapsody Dec. 6

Columbia—Two Reels

1939-40 Season

1191 The Bucket of Death—Dick No. 11 (18m.) ... Sept. 27
 1192 A Race Against Time—Dick No. 12 (16½m.) ... Oct. 4
 1193 The Arsenal of Revolt—Dck No. 13 (17m.) ... Oct. 11
 1194 Holding the Fort—Dick No. 14 (17m.) Oct. 18
 1195 The Deadwood Express—Dick No. 15 (18m.) ... Oct. 25
 1121 Prison Bars Beckon—Green Archer No. 1 (31½ min.) Oct. 25
 1122 The Face at the Window—Archer No. 2 (21 min.) Nov. 1
 1123 The Devil's Dictograph—Archer No. 3 (18½ min.) Nov. 8
 1124 Vanishing Jewels—Archer No. 4 Nov. 15
 1125 The Fatal Spark—Archer No. 5 Nov. 22
 1126 The Necklace of Treachery—Archer No. 6. ... Nov. 29
 1127 The Secret Passage—Archer No. 7 Dec. 6
 1128 Garr Castle Is Robbed—Archer No. 8 Dec. 13
 1129 The Mirror of Treachery—Archer No. 9 Dec. 20
 1130 The Dagger That Failed—Archer No. 10 ... Dec. 27
 1131 The Flaming Arrow—Archer No. 11 Jan. 3
 1132 The Devil Dogs—Archer No. 12 Jan. 10
 1133 The Deceiving Microphone—Archer No. 13. ... Jan. 17
 1134 End of Hope—Archer No. 14 Jan. 24
 1135 Green Archer Exposed—Archer No. 15 Jan. 31

(End of 1939-40 Season)

1940-41 Season

2401 From Nurse to Worse—Stooge (17m.) ... Aug. 23
 2421 Pleased to Meet You—All Star (18m.) Sept. 6
 2422 The Spook Speaks—Keaton (18m.) Sept. 20
 2402 No Census No Feeling—Stooge (16½m.)...Oct. 4
 2423 Cold Turkey—Langdon (16m.) Oct. 18
 2424 A Bundle of Bliss—Clyde (18m.) Nov. 1
 2403 Cuckoo Cavaliers—Stooge (17½m.) Nov. 15

Metro-Goldwyn-Mayer—One Reel

1939-40 Season

S-113 Football Thrills of 1939—Smith (9m.) ... Sept. 21
 W-93 The Homeless Flea—cartoons (8m.) Oct. 12
 K-127 Utopia of Death—Passing Parade (10m.) ... Oct. 12
 W-94 Gallopin' Gals—cartoons (7m.) Oct. 26
 (One more Passing Parade to come)

Beginning of 1940-41 Season

T-211 The Capital City, Washington, D. C.—
 Traveltalks (9 min.) Sept. 7
 C-291 Good Bad Boys—Our Gang (11m.) Sept. 7
 T-212 Cavalcade of San Francisco—
 Traveltalks (9 min.) Sept. 28
 C-292 Waldo's Last Stand—Our Gang (11m.) ... Oct. 5
 S-261 Quicker'n a Wink—Pete Smith (9m.) Oct. 12
 T-213 Old New Mexico—Traveltalks Oct. 26
 C-293 Goin' Fishin'—Our Gang (10m.) Oct. 26
 M-231 Rodeo Dough—Miniatures Nov. 9

Metro-Goldwyn-Mayer—Two Reels

P-6 Soak the Old—Crime Doesn't Pay (20m.) ... Aug. 24
 (End of 1939-40 Season)

Beginning of 1940-41 Season

P-201 Eyes of the Navy—Crime Doesn't Pay
 (20 min.) Oct. 26

Paramount—One Reel

1939-40 Season

B9-11 Pedagogical Institution—Stone Age (6m.) ... Sept. 13
 B9-12 Way Back When Women Had Their Weigh—Stone Age (5½ min.) Sept. 27
 (End of 1939-40 Season)

Beginning of 1940-41 Season

R0-1 Diving Demons—Sportlight (9m.) Sept. 6
 J0-1 Popular Science No. 1—(10m.) Sept. 6
 A0-1 Moments of Charm of 1941—Headliner (9½ min.) Sept. 13
 H0-1 The Dandy Lion—Animated Antics (6½m.) ... Sept. 20
 E0-1 Popeye Meets William Tell—Popeye (6m.) ... Sept. 20
 L0-1 Unusual Occupations No. 1—(10½m.) Sept. 27
 R0-2 The Sporting Everglades—Sportlight (9m.) ... Oct. 4
 G0-1 King For a Day—Gabby Color cart. (7m.) ... Oct. 11
 V0-1 Nature's Nursery—Paragraphic (9½m.) ... Oct. 11
 E0-1 My Pop, My Pop—Popeye (6½m.) Oct. 18
 A0-2 Listen to Larry—Headliner (9½m.) Oct. 25
 H0-2 Sneak, Snoop and Snitch—cartoon (6m.) ... Oct. 25
 R0-3 Motorcycle Stunting—Sportlight (9½m.) ... Nov. 1
 J0-2 Popular Science No. 2 Nov. 1
 S0-1 The Trouble with Husbands—Benchley ... Nov. 8
 M0-1 River Thames—Yesterday—Journeys ... Nov. 8
 G0-2 The Constable—cartoon Nov. 15
 E0-3 With Poopdeck Pappy—Popeye Nov. 15

RKO—One Reel

1939-40 Season

04112 Mr. Mouse Takes a Trip—Disney (8m.) ... Oct. 11
 04113 Goofy's Glider (Gone with the Whirlwind)
 —Disney Nov. 1
 04114 Fire Chief—Disney Nov. 22
 (Four more Disneys to come)

1940-41 Season

14302 Kentucky Royalty—Sportscope (9m.) ... Sept. 27
 14202 Information Please No. 2—(10m.) Oct. 4
 14402 Picture People No. 2—(9m.) Oct. 11
 14303 A Sportsman's Partner—Sportscope (9m.) ... Oct. 25
 14203 Information Please No. 3—(10m.) Nov. 1
 14403 Picture People No. 3—(10m.) Nov. 8

RKO—Two Reels

13701 He Asked For It—Errol (18m.) Sept. 27
13102 March of Time No. 2—(18m.) Oct. 4
13402 A Trailer Tragedy—Kennedy (17m.) Oct. 18
13103 March of Time No. 3—(19m.) Oct. 25
13501 Bar Buckaroos—Ray Whitley (16m.) Nov. 8
13702 Tattle Talevision—Errol (19m.) Nov. 29

Twentieth Century-Fox—One Reel

1502 Touchdown Demons—Terry-Toon (7m.) .. Sept. 20
1601 Acquitted by the Sea—Ripley (10m.) Sept. 27
1553 How Wet Was My Ocean—Terry-T. (7m.) Oct. 4
1302 Lure of the Trout (Fly Casters)—
 Sports (9 min.) Oct. 11
1503 Happy Haunting Grounds—Terry-T. (7m.) Oct. 18
1103 Isle of Mystery—Father Hubbard (10m.) ... Oct. 25
1554 Landing of the Pilgrims—Terry-Toon Nov. 1
1201 Midget Motor Mania (Midget Auto-Racers)
 —Adv. News Cam. (8 min.) (re.) Nov. 8
1504 The Magic Pencil—Terry-Toon Nov. 15
1104 Old Dominion State—Lowell Thomas Nov. 22
1555 Plane Goofy—Terry-Toon Nov. 29
1402 The Tale of Butch the Parrot—Lehr Dec. 6
1505 The Snow Man—Terry-Toon Dec. 13
1303 Bowling for Strikes—Sports (7m.) Dec. 20
1556 The Temperamental Lion—Terry-Toon Dec. 27

Universal—One Reel

5241 Crazy House—Lantz cart. reissue (7½m.) .. Sept. 23
5351 Going Places with Thomas #81—(9m.) Sept. 23
5372 Stranger Than Fiction #82—(9m.) Oct. 7
5352 Going Places with Thomas #82—(9m.) Oct. 14
5242 Recruiting Daze—Lantz cartoon (6m.) Oct. 28
5373 Stranger Than Fiction #83—(8m.) Nov. 4
5353 Going Places with Thomas #83—(9m.) Nov. 11
5243 Knock-Knock—Lantz cartoon Nov. 25
5374 Stranger Than Fiction #84 Dec. 2
5354 Going Places with Thomas #84 Dec. 23

Universal—Two Reels

5221 Class In Swing—musical (17m.) Sept. 25
5681 Enemies Within—Junior G-Men No. 1
 (19 min.) Oct. 1
5682 The Blast of Doom—G-Men No. 2 (20m.) .. Oct. 8
5683 Human Dynamite—G-Men No. 3 (19m.) Oct. 15
5684 Blazing Danger—G-Men No. 4 (18m.) Oct. 22
5222 Congamania—musical (17m.) Oct. 23
5685 Trapped by Traitors—G-Men No. 5 (20m.) .. Oct. 29
5686 Traitors' Treachery—G-Men No. 6 (22m.) .. Nov. 5
5687 Flaming Death—G-Men No. 7 (19m.) Nov. 12
5688 Hurled Through Space—G.M. No. 8 (18m.) .. Nov. 19
5689 The Plunge of Peril—G-Men No. 9 (20m.) .. Nov. 26
5223 Not yet titled—musical Nov. 27
5690 The Toll of Treason—G-Men No. 10 (18m.) .. Dec. 3
5691 Descending Doom—G-Men No. 11 (21m.) .. Dec. 10

Vitaphone—One Reel

6703 Holiday Highlights—Mer. Mel. (7m.) Oct. 12
6704 Good Night Elmer—Mer. Mel. (6m.) Oct. 26
6502 Joe Reichman & Orch.—Mer. Mel. Mast. (11m.) .. Oct. 26
6402 Dogs You Seldom See—Sports Par. (10m.) .. Nov. 2
6603 Sour Puss—Looney Tunes (7m.) Nov. 2
6302 Shark Hunting—Novelties (9m.) Nov. 9
6705 Wacky Wildlife—Mer. Mel. (8m.) Nov. 9
6503 Jan Garber & Orch.—Mer. Mel. Mast. (9½m.) .. Nov. 23
6706 Bedtime for Sniffles—Mer. Melodies Nov. 23
6403 Diary of a Racing Pigeon—Sports Parade
 (9½ min.) Nov. 30
6604 Porky's Hired Hand—L. Tunes (7m.) Nov. 30

Vitaphone—Two Reels

6202 Ed Sullivan's Hollywood—Bway. Brev. Nov. 16

NEWSWEEKLY

NEW YORK

RELEASE DATES

Paramount News

24 Wednesday .. Nov. 20
25 Saturday Nov. 23
26 Wednesday .. Nov. 27
27 Saturday Nov. 30
28 Wednesday .. Dec. 4
29 Saturday Dec. 7
30 Wednesday .. Dec. 11
31 Saturday Dec. 14
32 Wednesday .. Dec. 18
33 Saturday Dec. 21
34 Wednesday .. Dec. 25
35 Saturday Dec. 28

Pathé News

15224 Wed. (E.) Nov. 20
15125 Sat. (O.) Nov. 23
15226 Wed. (E.) Nov. 27
15127 Sat. (O.) Nov. 30
15228 Wed. (E.) Dec. 4
15129 Sat. (O.) Dec. 7
15230 Wed. (E.) Dec. 11
15131 Sat. (O.) Dec. 14
15232 Wed. (E.) Dec. 18
15133 Sat. (O.) Dec. 21
15234 Wed. (E.) Dec. 25
15135 Sat. (O.) Dec. 28

Universal

929 Wednesday .. Nov. 20
930 Friday Nov. 22
931 Wednesday .. Nov. 27
932 Friday Nov. 29
933 Wednesday .. Dec. 4
934 Friday Dec. 6
935 Wednesday .. Dec. 11
936 Friday Dec. 13
937 Wednesday .. Dec. 18
938 Friday Dec. 20
939 Wednesday .. Dec. 25
940 Friday Dec. 27

Metrotone News

219 Tuesday Nov. 19
220 Thursday .. Nov. 21
221 Tuesday Nov. 26
222 Thursday .. Nov. 28
223 Tuesday Dec. 3
224 Thursday .. Dec. 5
225 Tuesday Dec. 10
226 Thursday .. Dec. 12
227 Tuesday Dec. 17
228 Thursday .. Dec. 19
229 Tuesday Dec. 24
230 Thursday .. Dec. 26
231 Tuesday Dec. 31

Fox Movietone

21 Wednesday .. Nov. 20
22 Saturday Nov. 23
23 Wednesday .. Nov. 27
24 Saturday .. Nov. 30
25 Wednesday .. Dec. 4
26 Saturday .. Dec. 7
27 Wednesday .. Dec. 11
28 Saturday .. Dec. 14
29 Wednesday .. Dec. 18
30 Saturday .. Dec. 21
31 Wednesday .. Dec. 25
32 Saturday .. Dec. 28

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No. 47

WHAT THE CONSENT DECREE PROVIDES — No. 3

(Continued from last week)

Withholding Prints to Favor an Exhibitor

Article IX of the Consent Decree reads partly as follows:

"In booking prints for exhibition by exhibitors competing on the same run in the same exchange district, a distributor defendant shall not withhold delivery of prints available in its exchange from one exhibitor in order to give a competing exhibitor a prior playing date not provided for in his license. It is recognized that distributors must be permitted discretion in the ordinary course of booking and distributing films in an exchange district when too few prints are available in the exchange for the playing date desired by two or more theatres. In such cases this Section shall have no application. . . ."

This provision takes away with one hand what it gives to the exhibitors with the other: although it prohibits withholding prints from one exhibitor so as to favor another, it recognizes that the distributor must be given discretion in booking the prints available. Consequently it cures nothing. "The evil," says Mr. Myers, "is in withholding prints from a subsequent run in order to give a prior run a longer clearance than is specified in the contracts. Allied has called this to the attention of the Department of Justice but without avail."

Since withholding a print from a subsequent-run exhibitor in order to give a prior-run exhibitor a clearance not covered by the contract will be a violation of the Decree, the arbitration board will no doubt render an award in favor of the complaining exhibitor in the event that a complaint of this kind were submitted to it.

Discrimination in "Runs"

Article X reads partly as follows:

"A. Controversies arising upon a complaint by an independent exhibitor that a distributor has arbitrarily refused to license its features for exhibition on the run requested by said exhibitor in one of said exhibitor's theatres which was in existence or which replaced a theatre in existence [erected in the same neighborhood, with the replaced theatre entirely abandoned as a theatre] at the date of this decree shall be subject to arbitration."

The clause that follows gives a number of facts that the arbitration board must take into consideration before rendering an award.

Commenting upon this article, Mr. Abram F. Myers said the following:

"This Section is aimed at the heart of the Big Eight's monopoly of exhibition, but it yields a sling shot instead of a rifle.

"The most serious complaints lodged with the Department of Justice, and the ones which must have moved it to bring the suit, involved cases where an affiliated circuit invaded the territory of an independent exhibitor and by virtue of its buying power, or, more likely, the mutual back-scratching tactics of the Big Eight, took from the independent his product altogether or relegated him to a subsequent, unprofitable run.

"Under the Section controversies arising upon a complaint by an independent exhibitor that a distributor has arbitrarily refused to license its features for exhibition on the run requested by the exhibitor in one of his theatres, may be arbitrated.

"An independent exhibitor is defined as 'one wholly independent of any circuit of more than five theatres and not affiliated by stock ownership, common ownership, common buying or otherwise with a circuit of more than five theatres and whose licenses are not negotiated by a buying combine or common buying agent negotiating for more than five theatres.' Thus an exhibitor operating or affiliated

with more than five theatres, or a member of a buying combine of more than five, is ineligible to relief under this Section. This is upon the supposition, not borne out in experience in the large cities, that an independent circuit of more than five has sufficient buying power to protect itself.

"No award can be made unless the arbitrator finds that—

"1 The complainant is an independent exhibitor and his theatre was in existence at the date of the decree or replaced such a theatre; and

"2 Distributor's refusal to license on the run requested continued during a period of not less than three successive months; and

"3 Distributor during such period licensed its features on the desired run to a circuit theatre in competition with the complainant (a circuit theatre is defined in the decree as a theatre which a component part of a circuit of not less than 15 theatres, or which is affiliated by stock ownership, common ownership, common buying or otherwise with a circuit of not less than 15 theatres or the licenses for which are negotiated by a buying combine or common buying agent negotiating for not less than 15 theatres); and

"4 Complainant's theatre has not available to it features 'sufficient in nature and quantity' to enable it to operate on the run requested; and

"5 (a) Subsequent to July 20, 1935 and prior to July 20, 1940 complainant operated the theatre in question on the same run or on an earlier run than that enjoyed by the circuit theatre; or

"(b) Subsequent to July 20, 1940 and during two consecutive motion picture seasons immediately preceding the filing of the complaint, complainant operated his theatre on the same run as or on an earlier run than that enjoyed by the circuit theatre and during such period exhibited on such run substantially all the features released during such period by the distributor complained against; or

"(c) Subsequent to July 20, 1935 and prior to July 20, 1940 the complainant demanded in writing features from the distributor complained against on the same run or on an earlier run than that enjoyed by the circuit theatre (a complaint filed with a Local Clearance & Zoning Board or a Local Grievance Board under the N.R.A. and not disposed of by administrative action prior to May 27, 1935, or a complaint in writing to the Department of Justice are considered to be 'demands in writing'); or

"(d) Complainant operated his theatre at least one year prior to the entry of the decree, and subsequent to July 20, 1935 and prior to July 20, 1940 a prior operator of the theatre demanded in writing features from the respondent distributor on the same run as or an earlier run than that enjoyed by the circuit theatre (or filed a complaint with N.R.A. or the Department of Justice); and

"6 Such refusal to license complainant was in fact because the theatre licensed to exhibit them on the run requested was a circuit theatre.

"In considering such a complaint the arbitrator shall take into consideration the following factors, among others: (a) The terms, if any, offered in respect of each of the two competing theatres; (b) the seating capacity of each of the said theatres; (c) the capacity of each for producing revenue for the distributor; (d) the character, appearance and condition of each, including its furnishings, equipment and conveniences; (e) the location of each of said theatres; (f) the character and extent of the area and population each serves; (g) competitive conditions in the area in which they are located; (h) their suitability for exhibition of the distributor's features on the run requested; (i) the character and ability of the exhibitor operating each and his reputation generally in the industry and in the

(Continued on last page)

"The Devil's Pipeline" with Richard Arlen and Andy Devine

(Universal, November 1; time, 65 min.)

A pretty good program comedy-melodrama. Although the story is extremely far-fetched, it has plentiful action; and Andy Devine keeps the audience laughing by the tricks he employs to quell his enemies, as well as by his habit of getting into trouble. It is quite obvious to one just what the ending will be; yet it holds one in some suspense:—

Arlen and Devine, after an unsuccessful fling in their own business, are glad to go back to work as investigators for an oil company. For their first assignment, they are sent to an island in the South Pacific, to try to find out what was causing the manager's secretary (Jeanne Kelly) to write the words "send help" in shorthand after her signature on reports. When they reach the island, they try to obtain employment with the oil company but are turned away. They soon find themselves in jail on a trumped-up charge, and from there they are taken to the company's fields, where they are forced to work under unbearable conditions with other prisoners. Arlen then realizes that the manager and the jailer had worked out a scheme by which they used "slave" help, charging the home office salaries which they split between them. Arlen manages to make his identity known to Miss Kelly, but the manager, too, finds it out and plans to kill both Arlen and Devine. Through clever thinking on the part of Arlen, and strength and courage on the part of Devine, they are able, with the help of the other prisoners, to overpower the manager and his gang. Proper working conditions are installed under the supervision of Arlen, who is made the new manager. He and Miss Kelly fall in love with each other.

Paul Huston wrote the story, and he, Clarence U. Young, Larry Rhine, and Ben Chapman, the screen play; Christy Cabanne directed it, and Ben Pivar produced it.

Suitability, Class A.

"Lady with Red Hair" with Miriam Hopkins and Claude Rains

(Warner Bros., November 30; time, 80 min.)

Fair. The story from which this was adapted, and which was based on the life of Mrs. Leslie Carter, the noted actress, seemed to offer possibilities for a strong human interest drama, but the result is a disappointment. As it stands now it is a mildly interesting drama of the development of the theatrical career of Mrs. Carter under the tutelage of David Belasco. There are a few emotional scenes that touch one; the situation where the heroine parts from her child, and the one in which she sees him again only to realize that her son had grown apart from her, are both touching. But the action for the most part lags. Even the romance lacks conviction. And the old-fashioned costumes and settings are not of much help:—

After the scandalous divorce proceedings brought by her snobbish society husband, Mrs. Carter (Miss Hopkins) finds herself without friends. Although the court had awarded the custody of their child to her husband, Mrs. Carter is determined to win him back. Knowing that she would need a large sum of money for the court fight, she decides to become an actress. In company with her mother (Laura Hope Crews), she leaves for New York, with a letter of introduction to David Belasco (Claude Rains). She and her mother take lodgings at a theatrical boarding house. There Mrs. Carter meets a young actor (Richard Ainsley), who falls in love with her and encourages her. Her first meeting with Belasco is meaningless, but her determination is so strong that she actually forces herself upon him and wins his attention. He starts coaching her. But her first play is a dismal failure. Discouraged, she decides to give up and marry the young actor; but Belasco refuses to let her do it. Instead he coaches her anew and presents her in a new play, in which she proves a sensation. She tours the country. But she lives for the day when she could appear in Boston, her own town, to see her child again. Her opening night there almost ends in tragedy when her enemies try to shout her off the stage; but she wins them over and in the end they cheer her. When she visits her son, she realizes that he no longer needed her. Heartsick, she goes to the young actor who loved her and he marries her. Belasco is so furious that he refuses to see her again. She tries producing shows on her own, but is a dismal failure: all her money is gone. Finally Belasco comes to her aid and helps her to achieve success again.

N. Brewster Morse and Norbert Faulkner wrote the story, and Charles Kenyon and Milton Kribs, the screen play; Kurt Bernhardt directed it, and Edmund Grainger produced it. In the cast are Helen Westley, John Litel, Mona Barrie, Victor Jory, Cecil Kellaway, and others.

Class A.

"Sandy Gets Her Man" with Baby Sandy, Stuart Erwin and Una Merkel

(Universal, November 8; time, 66 min.)

This is a pretty good filler for a double-feature program. Although the story is far-fetched, it moves at a pretty fast pace, alternating between comedy, slapstick, and some thrills. Baby Sandy has a winning way; she talks a little; and this adds to her "cuteness." Although the adults are at times put in slightly silly situations, their performances are adequate and they manage to be likeable characters:—

Both Fireman Stuart Erwin and Police Sergeant Jack Carson are in love with Una Merkel, a widow, mother of two-year-old Sandy. Knowing that her choice would depend on which man Sandy liked better, both men put themselves out to amuse the child. Since Miss Merkel's father (William Davidson) had been made Chairman of the city finance committee, with an appropriation of \$250,000 to be spent by either the fire or the police department, both the fire chief (Edgar Kennedy) and the police captain (William Frawley) take an interest in the romance, each one eager to see the man in his department win. Erwin takes Sandy to a department store to buy her a gift; she disappears and turns up at the police station. This is a victory for Carson, who wins Miss Merkel's promise to marry him. But Ed Brophy and Wally Vernon, Erwin's two pals, break up the wedding. Again Sandy disappears; Erwin is accused of having kidnapped her so as to stop the wedding. Brophy and Vernon find Sandy in the fire house and hide her. A fire alarm is sounded; no one had noticed that Sandy had climbed on the back of the hook and ladder truck until they are at the fire. She is put in the care of a policeman, but, managing to elude him, she goes into the burning building. Erwin shows heroism by going in and rescuing her. It is he whom Miss Merkel finally marries.

Jane Storm and Sy Bartlett wrote the original screen play; Otis Garrett and Paul G. Smith directed it, and Burt Kelly produced it.

Suitability, Class A.

"Little Nellie Kelly" with Judy Garland, George Murphy and Charles Winninger

(MGM, November 22; running time, 98 min.)

Very good! It is a romantic comedy, with considerable human interest, and with the action unfolding at a fast pace. Miss Garland, who is more winsome than ever, is given an opportunity to sing a few melodious Irish songs, including "Nellie Kelly I Love You," by George M. Cohan, and "Singin' In the Rain," by Arthur Freed and Nacio Herb Brown. The fine baritone voice of Douglas McPhail, too, is heard. Charles Winninger, as the loving, though stubborn and selfish, father first, and grandfather afterwards, does an excellent piece of work. George Murphy is good at his part. Some of the situations are deeply appealing, and the romance between Murphy and Judy is charming:—

Charles Winninger, a good natured but shiftless middle aged man, who loved his drink and his daughter, vows never to forgive Murphy for having married his daughter against his will. After the marriage husband and wife decide to go to America, the land of opportunity, and Winninger stubbornly rejects their invitation to go with them; but he is found aboard the ship when it sails. In America Murphy determines to make good so as to provide his wife with everything she needed. In due time he becomes a policeman. On the day he is inducted, his wife dies at childbirth, leaving him a daughter. Even though Murphy tries to gain Winninger's friendship, he is unsuccessful. The daughter (Judy) grows up into a fine young woman and when she meets Douglas McPhail, son of another Irish immigrant from her father's home town, she falls in love with him. He, too, falls in love with her. Although Murphy approved of the match, Winninger is just as irreconcilable as ever. The time comes, however, when Murphy has it out with him, and Judy stands by her father; she tells her grandfather that if he should go to work his mind might be so occupied that he would not be so bitter against her father. Winninger feels so hurt that he rushes out of the house, vowing never to return. When her grandfather fails to return, Judy is worried. While attending a ball with Douglas, Judy suggests that they take a ride in the park. Her amazement is great when the driver of the carriage they had ordered proves to be none other than her grandfather—he had obtained a job and was feeling happier than he had ever felt. There is finally a happy family reunion, with father and grandfather shaking hands.

The plot has been founded on the George M. Cohan play. The screen play was written by Jack McGowan. Arthur Freed produced it and Norman Taurog directed it.

Class A.

"The Fargo Kid" with Tim Holt

(RKO, November 22; time, 63 min.)

This second Tim Holt picture proves that Holt has the possibilities for becoming a popular western star. The story is not as strong as in the first picture, yet it has plentiful action, consisting of fights, gun play, and fast riding; also comedy and a few songs:—

While Holt is on his way to an Arizona frontier town to meet his friends (Ray Whitley and Emmett Lynn), his horse breaks a leg and he is compelled to destroy him. While packing his gear, Holt is accosted by Paul Fix, who had a good horse but no saddle. They draw cards to see who should get the horse and the saddle. Fix tries to double-cross Holt, but he is too fast for him. Holt takes the horse and saddle and rides into town. Cyrus Kendall, a crooked mining man, and his henchman (Ernie Adams), who were waiting for Fix, whom they had hired to kill a man, mistake Holt for the killer, since he was riding the horse Fix had described to them by letter. They pay him \$5,000 in advance to kill Paul Scardon, who owned a nearby mining claim which Kendall wanted, for he knew there was a rich gold vein on the land and that Scardon, who had been digging, was nearing it. Holt hides the money and then rides out to Scardon's place to warn him. In the meantime, the real killer reaches Kendall's office. When Holt returns to Kendall's office, he is trapped. But by quick thinking and with the aid of his two pals, he escapes. He in turn traps Kendall, forcing him to go to Scardon's place; there he makes him confess. The Sheriff and his men arrive and round up the gang. Holt and his two pals ride away to the rodeo they had planned to attend, richer by the \$5,000 Kendall had given Holt.

W. C. Tuttle wrote the story, and Morton Grant and Arthur V. Jones, the screen play; Edward Killy directed it, and Bert Gilroy produced it. In the cast are Jane Drummond, Glenn Strange, and others.

Suitability, Class A.

"The Letter" with Bette Davis, James Stephenson and Herbert Marshall

(First National, November 23; time, 97 min.)

A good class audience picture, but doubtful for the masses. The story is extremely sombre and even unpleasant, since it deals with infidelity, murder, and human suffering. Moreover, it is developed by dialogue rather than by action. But it is outstanding in one respect—in the performances given by Bette Davis and James Stephenson, particularly by Stephenson. Whatever dramatic power the picture has is owed to their talents. This picture was first made in 1929, with Jeanne Eagels as the star; but that version, too, tended to depress one:—

The quiet of the night at the rubber plantation where Miss Davis lived with her husband (Herbert Marshall) is suddenly broken by pistol shots. Miss Davis had killed a man, who had been visiting her during her husband's absence. She sends the houseboy for Marshall, who comes rushing to her aid with his friend and lawyer (Stephenson). They find the district officer already there. Miss Davis tells them that the man, an old friend, had called and as he had attempted to attack her she had shot and killed him. They all sympathize with her, and accompany her to town, where the prison was located. Stephenson feels certain that she would be acquitted at the trial. He receives a shock when his native law clerk shows him a copy of a letter written by Miss Davis, the original of which was in the hands of the native wife of the murdered man; the letter showed that Miss Davis had written demanding that the man call on her. Stephenson confronts her and she breaks down. He realizes that, in order to save her life, they would have to obtain possession of the letter, for which the widow was demanding \$10,000. Stephenson hated doing anything so underhanded, for he was an upright man. He manages to obtain Miss Davis' release in his custody; together they go to the native section, where, under humiliating conditions, they obtain the letter. Miss Davis is acquitted. Marshall is eager to buy a plantation in a new section, so as to take his wife away. When Stephenson tells him it would be impossible because \$10,000 had been paid for the letter, Marshall demands to see the letter. When he reads it, he is heartbroken. But he loved his wife so much that he forgives her. But she realizes it is useless, for she still loved the man she had killed. She goes out in the garden, and there she is stabbed to death by the widow.

W. Somerset Maugham wrote the play from which this was adapted, and Howard Koch, the screen play; William Wyler directed it, and Robert Lord produced it. In the cast are Frieda Inescort, Gale Sondergaard, and others.

Not for children or adolescents. Adult fare. Class B.

"You'll Find Out" with Kay Kyser and his band, Helen Parrish, Peter Lorre, Boris Karloff, Bela Lugosi

and Dennis O'Keefe

(RKO, November 22; time, 97 min.)

Very good mass entertainment. It combines music with comedy and spooky melodrama; and the action moves at a fast pace. One is held in suspense, knowing that the villains are out to murder the heroine. The fact that they try to carry out their plans by means of a fake seance adds to the spookiness of the plot. Most of the comedy is provoked by Kay Kyser's innocent interference with the villains' plans. The production is lavish and the performances are good:—

Kyser and his band go to Bellacrest Manor to play at the birthday party of wealthy Helen Parrish; they are accompanied by Dennis O'Keefe, their manager, who was in love with Miss Parrish. The place gives them the chills, particularly because a terrific storm was raging. Miss Parrish's aunt (Alma Kruger) is completely under the spell of Bela Lugosi, who had been holding seances at her home, leading her to believe that she was talking to her dead brother. Unknown to her, he was working with Boris Karloff, the family lawyer, and Peter Lorre, on a plan to get her fortune. After a few guests arrive, the drawbridge, which was the only means of entrance to the estate, collapses. Kyser and O'Keefe feel that something peculiar was going on in the house, for an attempt had been made to kill Miss Parrish; so they start investigating. They find sliding panels, secret passages, and finally the hideout where Lugosi kept all his equipment for the fake seances. They find also a will showing that Miss Parrish was to receive the estate. This makes them realize that the three men, knowing that she scoffed at their seances and would not continue "feeding" them with money as Miss Kruger had done, planned to kill her. After an exciting time, during which all their lives are threatened, Kyser exposes the crooks, who are blown to death in an explosion they had planned for the guests.

David Butler and James V. Kern wrote the story, and Mr. Kern, the screen play; David Butler directed and produced it.

Suitability, Class A.

"Girls Under 21" with Bruce Cabot, Rochelle Hudson and Paul Kelly

(Columbia, October 24; time, 63 min.)

Just a minor program picture. It is a tedious preachment in the "crime-doesn't-pay" classification. Yet despite its moralizing it is hardly the type of entertainment that children or adolescents should see, for a group of young girls are shown yearning for an easy life, even resorting to stealing. The fact that they reform in the end does not remove the taint of their previous actions. Except for an occasional attempt at comedy, the action is dull, and the plot developments routine. There is a romance:—

Tina Thayer could not understand why her sister (Rochelle Hudson) gave up a life of luxury as the sweetheart of gangster Bruce Cabot, and went back to work at a small salary. Tina and her four girl pals worshipped men like Cabot and the kind of life he offered a girl. Paul Kelly, who had grown up in the tenement neighborhood and was now teaching school, worried about the five girls, particularly about Tina, because he was in love with her sister; he knew that Rochelle regretted her former association with Cabot and did not want to see her young sister go wrong. Tina leads the girls in petty thefts, and scoffs at Kelly's efforts to set them straight. Dellie Ellis, a young school girl who tried to become friends with Tina, overhears them planning to do some shoplifting at the store where Miss Hudson worked. They force her to accompany them and to act as lookout. In the excitement that follows the theft, Dellie is pushed and her glasses fall off. Not being able to see without them, she walks blindly into a truck and is killed. Miss Hudson, because of her connection with Cabot, is held as an accomplice and is locked up. Kelly feels certain that Tina and her pals would come to her help. The girls finally confess, and Miss Hudson is released. They are paroled, promising to change their way of living.

Jay Dratler and Fanya Rose wrote the original screen play, Max Nosseck directed it, and Ralph Colin produced it. In the cast are Roberta Smith, Lois Verner, Beryl Vaughan, and others.

Not for children or adolescents. Class B.

community for showmanship, honesty and fair dealing; (j) the policy under which each of the theatres has been operated and the policy under which the complainant proposes to operate his theatre if he obtains the desired run; (k) the financial responsibility of the exhibitor operating each of the theatres; and the distributor's prior relations with each of the two theatres and with their owners and operators and any equities arising therefrom.

"By carefully noting the 'ands' and 'ors,' which I have underscored, in connection with the findings that must be made by the arbitrator, an exhibitor can determine whether he is eligible to bring such a proceeding; by carefully studying the factors on which the arbitrator will make his decision he can form an estimate as to his chances of success. The obvious purpose of the Section is to adjust the complaints that gave rise to the suit without offering any encouragement to other exhibitors similarly situated who did not give vent to their complaints. The limitation that the Section shall apply only to theatres in existence when the decree is signed, or which are replacements of such theatres, shows a purpose to freeze conditions as they will exist when these past grievances have been adjusted. Unlike most anti-trust decrees there are no permanent injunctions looking to the future.

"If the arbitrator finds for the complainant, he will enter an order prohibiting the distributor from licensing its features on the run in question in either house otherwise than by a separate contract which shall not be a part of any circuit deal. After a final award in favor of the complainant, such exhibitor may institute another arbitration proceeding on the ground that the award has not been complied with in good faith; and if the arbitrator finds that it has not, he may award the complainant compensatory damages.

"If one takes a fine sight on the remedy thus provided, it will be found as leaky as a sieve; but the arbitrator will be wholly impartial, with no axe to grind, and it would be astonishing if he would indulge the distributor's good faith if after a strong showing by the complainant he still could not secure the pictures."

The only remark that this paper can make on this Article is that it gives something to the independent exhibitors, even though what it gives is little.

(To be continued next week)

HERE AND THERE

"THE USE of the double feature method to compromise supporters of the Legion of Decency," said the November 8 issue of *Catholic Chronicle*, the house organ of the Diocese of Toledo, Ohio, "had a striking illustration in Toledo this week at the Rivoli Theatre [owned by the Skirball brothers].

"Booked on the same bill were widely-publicized 'Knut Rockne, All American,' and an unsavory film with a Hollywood title, 'Dance, Girl, Dance.' . . ."

Booking a sex picture along with a picture that was expected to draw the family trade, particularly young men, young women and children, is indeed the worst display of bad taste that this writer has ever known; it takes no particular knowledge or brains to determine that the two pictures do not mix.

The Warner Bros. exchanges should counsel exhibitors not to book this film with films of the "Dance, Girl, Dance" type.

* * *

"AS EACH ATTORNEY [representing exhibitor organizations at the November 14 hearing before Judge Goddard on the consent decree] spoke against the decree and stated that conditions would be unbearably worse," said the November 15 issue of *The Film Daily*, "almost each one had a good word to say for the present conditions. Judge Goddard appeared considerably surprised at the good things said about current practices and at one point interjected the remark: 'You get me to wonder why you complained at all.' Judge Joseph M. Proskauer [representing Warner Bros.] added in a voice audible to the entire courtroom: 'We've been wondering why also.'"

Abram F. Myers, chief counsel of Allied States Association, lambasted the Decree on the ground that it does not put an end to the monopolistic practices of the Big companies, but that it legally protects and perpetuates them; that it does not abolish block-booking; and that its escape clause undertakes to "protect the defendants in the full possession of their existing monopoly."

Whether Judge Goddard will or will not approve the Decree it was not known at the time this issue was going to press: but the opposition seems to be too formidable for him to ignore it.

ALLIED STATES ASSOCIATION OF
MOTION PICTURE EXHIBITORS
729 Fifteenth Street, N.W.
Washington, D.C.

November 16, 1940.

EXHIBITOR SOLIDARITY

At the hearing before Judge Goddard on the proposed consent decree the exhibitors presented a solid front for the first time in many years.

Maybe all did not concur in some of the things that were said, but all were united in their opposition to the selling plan embodied in the decree.

When the General Counsel of Allied was pressed for time, the spokesmen for two M.P.T.O.A. units, after conferring with Ed Kuykendall, voluntarily relinquished their time to Allied's Counsel.

Like solidarity on other major issues would infinitely strengthen the position and improve the lot of the exhibitors of the country.

IF THE DECREE SHOULD COME

Judge Goddard heard the exhibitors fully if not sympathetically. As a result, he can not entertain any illusion that the decree submitted to him is acceptable to the exhibitors or will cure all the ills of the industry.

If despite the powerful protests lodged against it, Judge Goddard sees fit to sign the decree, we hope that the distributors will bend every effort to ease the strain of the new selling system as much as possible. One way in which they can do this is to make available as many trade shown pictures as possible at the beginning of the next selling season.

An announcement by each of the five consenting distributors that it will have three to five groups of five ready to offer the exhibitors on September 1 will clear the atmosphere.

APPEAL BOARD APPOINTMENTS

Also, in case he concludes to sign the decree, it is hoped that the Court will act cautiously in selecting men for the Appeal Board.

It is a serious oversight that the decree does not prescribe the same qualifications for members of that Board that it does for the arbitrators. Purely political appointments or the appointment of persons formerly connected with any branch of the industry, or of persons active in the formulation of the decree would tend to discredit the arbitration system before it can be given a chance.

PICTURES NOW IN PRODUCTION

Columbia

"THE FACE BEHIND THE MASK," with Peter Lorre and Evelyn Keys. Program.

"BLONDIE GOES LATIN." Program.

Metro-Goldwyn-Mayer

"THE ZIEGFELD GIRL," with James Stewart, Judy Garland, Hedy Lamarr, Tony Martin, Lana Turner, Jackie Cooper, Charles Winniger, Philip Dorn, Paul Kelly, and others, produced by Pandro S. Berman, and directed by Robert Z. Leonard, from a story by William Anthony McGuire. This is the first picture that Pandro Berman has undertaken to produce since he left the RKO studio, where he was the top-notch producer. With a story written by one of the outstanding writers of Hollywood, with a director of Robert Leonard's caliber, with so formidable a cast, and with a sum of money ranging anywhere from one and one-half to two million dollars to spend, Mr. Berman certainly could not miss making an excellent box office picture.

"MEN OF BOYS TOWN," with Spencer Tracy, Mickey Rooney, Bobs Watson, Henry O'Neil, and others, produced by John Considine, and directed by Norman Taurog. A picture with Spencer Tracy and Mickey Rooney, each a big attraction in his own rights, cannot help proving a big box office success. In addition, the producer and the director of "Boys Town" are producing also this one. This should insure the picture's success also as an entertainment.

Paramount

"THE ROAD TO ZANZIBAR," with Bing Crosby, Dorothy Lamour, Bob Hope, and Joan Marsh, directed by Victor Schertzinger. A picture with such stars, and directed by such a director, cannot help being successful from the entertaining as well as the box office point of view.

Universal

"WHERE DID YOU GET THAT GIRL," with Helen Parrish, Charles Lang, Leon Errol, Eddie Quillan, Joe Brown, Jr., Tom Dugan, Wade Boteler, Franklin Pangborn, Thurston Hall, and others, directed by Arthur Lubin. Undoubtedly a good program picture.

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No. 48

HERE AND THERE

THE CONSENT DECREE WAS approved by Judge Goddard last week and its provisions now have the effect of law, so far as the five consenting film companies are concerned. Breaches of its provisions are punishable in accordance with the provisions in the Decree itself.

Formidable opposition arose among exhibitors of all ranks and all affiliations, but because independent exhibitors were no parties to the suit they could not intervene, and their arguments against the Decree before Judge Goddard were powerless to affect the Judge's decision.

Since the exhibitors now have to live under this Decree, they had better study its provisions carefully to familiarize themselves with what their rights under it are. A correct understanding of these provisions should benefit them very much, whereas failure to understand them may work to their disadvantage.

* * *

FOR ARBITRATION BOARD CHAIRMAN, Judge Goddard has appointed Federal Judge Van Vechten Veeder.

Judge Veeder has no knowledge of the picture industry; his greatest experience has been in Admiralty cases. But since the Decree provides that no person who has had any connection with the motion picture industry shall be eligible as an arbitrator, it is assumed that Judge Veeder will do as well as any other person who might have been chosen for the post.

Although Judge Veeder will be somewhat at a disadvantage at the start because of his unfamiliarity with industry practices and procedure, he will have one advantage: he will apply to the cases referred to the Board of Appeals a judicial mind.

* * *

AMONG THE BENEFITS THAT WILL ACCRUE to the independent exhibitors from the Consent Decree will come from arbitrating disputes. Today a distributor may breach an exhibitor's contract but the exhibitor can seldom get justice except by resorting to the courts. And few exhibitors want to resort to the courts for relief, even if they knew they could get it, because, not only court proceedings are expensive, laborious, and take a long time for a decision, but also because they leave hard feelings; and when one takes into consideration the fact that the supply of the product is in the hands of a few—that competition is confined, not among the sellers but among the buyers, no buyer wants to antagonize a seller.

* * *

THE APPROVAL OF THE CONSENT DECREE makes membership in an exhibitor organization indispensable, for the secretary of the organization will be able not only to interpret the Decree's various provisions to a member, but also furnish him with information that will be of great value to him.

Correspondingly, the exhibitor organizations will now have a chance to render a far greater service to their members.

* * *

ONE OTHER GROUP OF MEN who will have a chance to render the industry a greater service is the trade-paper publishers. Since the Decree provides that all pictures must be tradeshowed before selling, the trade paper editors and their reviewers will have a chance to impart to the exhibitors information that will enable those who will not be able to attend trade showings to determine whether a given picture or group of pictures is or is not suitable for their needs, and if suitable what each picture is approximately worth to them. And the trade papers will profit in accordance with the accuracy of the service that they will render to the exhibitors, for the producers will naturally want to advertise in the papers that are read by, and the opinions of which guide, the greatest number of exhibitors.

GRADWELL SEARS, of Warner Bros., has announced that, on December 21, he is going to reissue "Here Comes the Navy," with James Cagney, Pat O'Brien and Frank McHugh; he feels that he is justified in reissuing this picture, not only because these three stars are, in his opinion, more popular now than they were in June, 1934, when this picture was first released, but also because it is impossible today to make a picture with the cooperation of the U. S. Navy, as was the case with "Here Comes the Navy." Many of the scenes of naval maneuvers, he says, could not be duplicated today, because of world conditions.

There may be something in what he says, and exhibitors may profit from booking this picture, particularly double-billing exhibitors. Certainly a program containing this reissue will do better than two pictures with neither of them acted by a popular player.

* * *

ONCE BEFORE HAS THIS PAPER had an occasion to condemn the panoramic method of photographing a picture; that is, of following the players while in motion. It is so ruinous to the eyes that many people leave the theatre with a headache.

Some of the latest pictures to be so photographed have come from the Warner Bros. studio.

This writer is not in a position to know whether this method of photographing is owed to the bright idea of some smart cameraman, or to the desire of the director to be different. In any event, Hal Wallis, the production head at the Warner Bros. studio, as well as the heads of all other studios, should caution directors as well as cameramen to avoid this sort of photographing. If they should be unable to convince them of the sensibleness of these observations, they might enlist the services of some ophthalmologist.

In other industries, research work is carried on for the purpose of finding out how to please the users of the product so that greater sales might be made. Certainly some such research should be made for the same purpose, for if more cameramen and more directors are allowed to resort to this sort of photographing pictures the theatre box offices of the nation will be poorer by many millions of dimes and of quarters.

WHAT THE CONSENT DECREE PROVIDES—No. 4

(Continued from last week)

Suspending Theatre Expansion

Article XI, paragraph (1), reads as follows:

"For a period of three years after the entry of the decree herein each of the consenting defendants will notify the Department of Justice immediately of any legally binding commitment for the acquisition by it of any additional theatre or theatres."

Then follow a number of conditions that the defendants must comply with.

Paragraph (5) reads as follows:

"For a period of three years following the entry of this decree, no consenting defendant shall enter upon a general program of expanding its theatre holdings. *Nothing herein shall prevent any such defendant from acquiring theatres or interests therein to protect its competitive position or for ordinary purposes of its business. . . .*" (Italics ours.)

As said in the first article of this series, which appeared in the November 9 issue, the italicized part of this provision nullifies, in a way, the intent of the entire article.

Commenting on this article, Mr. Abram F. Myers said:

"The main object of the suit was to compel the distributors to divorce themselves from their theatre holdings."

"The proposed decree marks a complete recession by the

(Continued on last page)

"Blackout" with Conrad Veidt and Valerie Hobson

(United Artist-British made; November 29; 81 min.)

Good! It is an espionage melodrama with the British naval blockade as part of the action, and with a port where foreign ships are examined as part of the background. Most of the action unfolds in London, during a blackout. The interest is held tense, and there are some thrills. It is as good a program picture of this type as made in the United States. The only fault one can find is the editing—it is poor in spots. A fairly interesting romance is interwoven in the plot:—

Conrad Veidt, Captain of the Danish steamer *Helvig*, is incensed when a contraband control boat orders him to the control port, but when things are explained to him by polite British officers his Danish temper goes. Two passes are given for him and Hay Petrie, First Mate, to dine ashore with the British commander, but when they start to go ashore they find the passes missing. At the same time it is reported to Veidt that Valerie Hobson and Esmond Knight, two of the passengers, were missing. In an effort to head them off, Veidt, accompanied by Petrie, steals ashore and makes for the railroad station, where the train was about to depart for London, and overtakes the pair. At the Waterloo station in London, Veidt loses Knight, but keeps close to Valerie. They have a fine dinner at a restaurant owned by the brother of Petrie (impersonated by himself). After dinner, Valerie invites Veidt to visit her aunt with her, but at her aunt's they confront a strange woman and three strange men; they are spirited away and held prisoners in a basement. Veidt then realizes that Valerie was a British agent, and that the strange people were German spies. Veidt escapes and, after many efforts in the blackout, succeeds in locating the basement and in, not only effecting the rescue of Valerie, but also bringing about the arrest of the Germans. Valerie and Veidt reboard the ship, with Valerie to be the future Mrs. Veidt.

Eméric Pressburger wrote the story, Michael Powell and Brock Williams the scenario; Mr. Powell directed the picture, and John Corfield produced it. Class A.

"Phantom of Chinatown" with Keye Luke

(Monogram, November 18; time, 61 min.)

A moderately entertaining murder-mystery melodrama of program grade. The story is far-fetched and is developed in a formula manner. It may, however, entertain those who go in for pictures of this type, since the murderer's identity is not disclosed until the end:—

While in the midst of giving a lecture on his expedition to the Mongolian Desert, Charles Miller, a famous explorer, stops to take a drink; suddenly he collapses and dies. An analysis shows that the water contained poison. Keye Luke, a Chinese detective, works with Grant Withers, police Captain, in an effort to solve the case. Lotus Long, the Chinese secretary of the murdered explorer, acts in a suspicious way; but she explains that she was interested in finding the scroll her employer had discovered on the expedition, since it showed where a large oil deposit could be found. She was working for the Chinese government; they naturally wanted the information for themselves and were eager that it should not get into the hands of their enemies. Another murder occurs. Luke finally solves the case by proving that two of the men from the expedition were the murderers; they wanted the scroll. Luke finds the missing scroll, which he turns over to Miss Long. Since he had become interested in her, he goes with her to China.

Joseph West wrote the screen play, Phil Rosen was the director, and Paul Malvern, the producer. Paul McVey, Virginia Carpenter and others are in the cast.

Not for children. Class B.

"Always a Bride" with Rosemary Lane and George Reeves

(First National, November 2; time, 57 min.)

Mediocre! From the moment the characters appear until the final fadeout they do not stop talking for one minute. Their constant chatter is so irritating that audiences will be squirming in their seats before the picture is half finished. Since dialogue takes the place of action, the picture is naturally slow-moving; moreover, the story is silly, and no one does anything to awaken sympathy:—

Rosemary Lane, although in love with George Reeves, follows the advice of her parents and becomes engaged to John Eldredge, a well-to-do business man. Reeves never had any money and could not hold a job; about the best thing he was suited for was to flatter people and to make everyone happy by giving them a kind word. Rosemary is constantly quarreling with Eldredge. One night, she invites Reeves to her home; this so angers Eldredge that he

demands that she choose between the two men. She promises not to see Reeves, and suggests that Eldredge should send him away when he calls. She hides behind the curtains to hear the conversation. Reeves calls and stays to talk to Eldredge. He starts off by flattering him and then gives him a line of talk about the bad features of marriage. After Reeves' departure, Miss Lane is so angry because Eldredge had listened to him, that she breaks the engagement. Reeves then comes back; he convinces her that his talk had been a scheme to break the engagement. They elope that night. Reeves arouses the anger of his wealthy uncle by charging bills to him. Miss Lane's parents demand that, unless Reeves obtained a position, Miss Lane was to return home. Reeves goes to see the Mayor about a job; the Mayor's henchman suggests that, in order that the Mayor be surely reelected, Reeves run as his opponent. Reeves accepts the assignment, but he puts up so good a campaign, that he is elected. Thus his father-in-law is satisfied.

Barry Conners wrote the story, and Robert E. Kent, the screen play; Noel Smith directed it. Virginia Brissac and Frances Pierlot are in the cast. Suitability, Class A.

"Remedy for Riches" with Jean Hersholt

(RKO, November 15; time, 68 min.)

This is the least entertaining of the pictures so far produced in the "Dr. Christian" series. The story is a hodge-podge of nonsense, based on routine situations, and it lacks human appeal. Moreover, the comedy is forced, bordering on the slapstick. Those who have been following this series will find it disappointing:—

Warren Hull, a stranger, meets with an accident and Robert Baldwin, the town druggist, discovers that Hull was an old friend. Jean Hersholt, the leading doctor, examines Hull and finds him perfectly fit. Hull, unknown to Baldwin, was working with Jed Prouty in a scheme to defraud the people. The news that Hull was interested in building a hotel spreads in the town like wildfire. Edgar Kennedy, a grocer, sells Hull property that he owned. Work begins on the foundation, when suddenly two workmen discover that oil was seeping through the earth. Again the news spreads like wildfire and everybody wants to buy in. The only person who kept his head is Hersholt, who, being suspicious, decides to do some investigating. He learns that there was no oil on the property and that Hull and Prouty were swindlers. He and Baldwin, together with the police, rush to the bazaar where the swindlers were selling "stock." They trap them and get back from them the money they had taken from all the people.

Lee Loeb wrote the original screen play; Erle C. Kenton directed it, and William Stephens produced it. In the cast are Dorothy Lovett, Maude Eburne, Margaret McWade, and others. Suitability, Class A.

"Melody Ranch" with Gene Autry, Jimmy Durante and Ann Miller

(Republic, November 15; time, 83 min.)

Not only does this give the western fans the usual action they enjoy—fighting and shooting, but it presents entertainment also for those who do not ordinarily follow pictures of this type. It is not a typical western, for music, comedy, and romance play a large part in the development of the plot; and the production is on a more lavish scale. Gene Autry fights as well as he sings, Jimmy Durante handles the comedy in his customary style, and Ann Miller makes an attractive heroine:—

Autry, a popular radio entertainer, receives an invitation to return to his home town during a celebration and to act as honorary Sheriff during his stay. Thinking it would be good publicity for the program, Durante, Autry's announcer and pal, induces him to accept it. And so Autry, together with the members of his radio show, which included Miss Miller, leave for the West. Miss Miller, who ordinarily quarreled with Autry, undergoes a change once she arrives in his home town, for there he shows himself to be courageous and kindly. But Autry is under the impression that she was still in love with Jerome Cowan, radio executive. As honorary Sheriff, Autry finds himself up against three tough brothers who ran the town. When he attempts to show them up on one of his radio programs, they stop the show and humiliate him. This angers Autry; he decides to stay on and to run against the crooked Sheriff. It takes a gun battle and terrific fighting to outwit the villains and permit the honest citizens to vote. Autry is elected. He finally realizes that Miss Miller loved him.

Jack Moffitt and F. Hugh Herbert wrote the original screen play; Joseph Santley directed it, and Sol C. Siegel produced it. In the cast are Barton MacLane, Barbara Allen, George Hayes, Joseph Sawyer, and others.

Suitability, Class A.

**"Tin Pan Alley" with Alice Faye,
Jack Oakie, Betty Grable
and John Payne**

(20th Century-Fox, November 29; time, 94 min.)

Excellent! It's just as good as "Alexander's Ragtime Band"; it is laid in the same period and, as in the other, old songs are used to excellent advantage. There's no doubt that those who remember the songs, such as "America I Love You," will thrill anew at hearing them; and even the younger generation will enjoy them. But the picture does not depend on music alone to put it over; it has deep human appeal, fine comedy, and romance. All this is tied together by a lavish production. The old times and places are reproduced realistically. The players are all good, Miss Faye and Oakie standing out:—

Oakie and Payne, struggling music publishers, needed some one to plug their songs. Oakie visits Miss Faye and Betty Grable, a fairly well-known sister act; he knew both girls from the days when he played vaudeville. They agree to sing a new song owned by Oakie and Payne, and they put it over well. When Payne and Miss Faye meet, it is love at first sight. She decides to stay in New York to work as song plunger for Oakie and Payne, while her sister went to Chicago to appear in a new show. The firm progresses rapidly. Miss Faye resented one thing about Payne: his complete absorption in his business, even to the extent of using her to further his plans; but she forgives all this because of her love for him. He shows her a new song he contemplated publishing. When she sings it she is so thrilled by it that Payne promises to let her sing it at an important benefit performance. But when a well-known actress (Esther Ralston) asks for permission to sing the song, Payne hasn't the nerve to turn her down. This so disheartens Miss Faye, that she breaks with him, and goes to London with her sister to appear in a musical show. The girls are a hit. Payne and Oakie go broke. When America declares war against Germany, both men enlist. As soon as they arrive in England, Oakie is determined to see the two girls; Payne joins him. After the show, Payne goes backstage to see Miss Faye, but when he hears that she was engaged to a British lord (John Loder) he leaves without seeing her. Miss Faye hears about this; with the aid of Loder she manages to get to the dock where the soldiers were boarding a ship bound for France. She and Payne embrace. After the war, they are united.

Pamela Harris wrote the story, and Robert Ellis and Helen Logan, the screen play; Walter Lang directed it, and Kenneth Macgowan produced it. In the cast are Allen Jenkins, Nicholas Bros., Billy Gilbert, and Ben Carter.

Class A.

"Fantasia"

(Walt Disney Prod.; time, 2½ hours)

The association of two notable artists—Walt Disney and Leopold Stokowski—has resulted in memorable screen entertainment.

There is no doubt of its reception by music lovers and cultured classes everywhere, for not only does it present classical music in its best form (played by the Philadelphia Orchestra with Mr. Stokowski as conductor), but it also shows Disney and his artists at their best; moreover, it offers something new in sound technique, and beauty in color.

In translating the music of the masters into pictures, the Disney staff has shown such ingenuity, charm, and talent, that one marvels anew at their ability.

The production is novel, even in its introduction: no titles are used. Instead, one sees the musicians taking their places and tuning up. Then Deems Taylor, nationally known composer and commentator, appears and speaks about the various things to be presented. Mr. Taylor, Mr. Stokowski and the orchestra are shown before each number; Mr. Taylor comments on what is to follow. One is made to feel as if they are on the stage in person.

The following compositions are played: "Toccata and Fugue" by Bach; Tchaikovsky's "Nutcracker Suite"; "The Sorcerer's Apprentice" by Dukas; Stravinsky's "Rite of Spring"; Beethoven's "Pastoral Symphony"; Ponchielli's "Dance of the Hours"; "Night on Bald Mountain" by Moussorgsky, and Schubert's "Ave Maria."

Disney has brought rare entertainment to the screen. Even if one is not a devotee of classical music, one will want to see this picture out of curiosity alone. And there is so much in it to see and wonder at that even the average picture-goer should be entertained. At any rate Mr. Disney is to be praised for this courageous undertaking.

The use of the equipment is so expensive, that it cannot be shown in small towns.

**"Gallant Sons" with Jackie Cooper,
Bonita Granville, Gene Reynolds
and Gail Patrick**

(MGM, November 15; time, 75 min.)

A good family picture. In spite of the fact that the story is far-fetched, at no time does one lose interest in the outcome; this is owing to the sympathy one feels for the leading characters. The story has human appeal, good comedy, and a romance; and it is very well acted, particularly by the juveniles who take the leading parts:—

Jackie Cooper and Gene Reynolds are school pals; for that reason Jackie feels embarrassed when his father (Minor Watson), a newspaper editor, hammers away in his newspaper against Reynolds' father (Ian Hunter), who ran a gambling establishment; but he, like every one else, respected Hunter, who, despite his profession, was honest. Watson, together with the police, prepares to raid the gambling house, but Hunter outwits him. Noticing Hunter leaving the place, Watson follows him to a boarding house. In one of the apartments, he finds Hunter bending over the body of a dead woman. Since Hunter's fingerprints were on the gun, he is held for the murder. He is tried and, because he refused to talk, he is sentenced to life imprisonment. Gail Patrick, a wealthy widow, who loved Hunter, knew that he was innocent and that he had refused to talk for fear of involving her, for she, too, had been to see the woman, to plead with her to stop blackmailing Hunter. She takes Gene into her home. Cooper, who believed in his father but wanted to be fair, decides to do some investigating. Together with Gene, Bonita Granville (Miss Patrick's daughter), and a few school friends, he sets out to get some facts in the case. Through Bonita, whose mother had told her everything, he learns about the blackmailing, that the murdered woman was Gene's real mother and his real father was dead, and that Hunter had adopted him and had paid the money so that the boy would not find out about his parentage, which would have made him unhappy. Jackie and the other boys, by following various clues, finally trap the murderer. Hunter is released and marries Miss Patrick; everyone is happy.

William R. Lipman and Marion Parsonnet wrote the original screen play; George B. Seitz directed it, and Frederick Stephani produced it. In the cast are June Preisser, Leo Gorcey, William Tracy, Tommy Kelly, El Brendel, and others.

Suitability, Class A.

**"Bitter Sweet" with Jeanette MacDonald
and Nelson Eddy**

(MGM, November 8; running time, 93 min.)

MGM has spared no expense in making this musical romance; it is extremely lavish, and the technicolor photography adds to the beauty of the settings. Jeanette MacDonald and Nelson Eddy again thrill one with their singing. But the story is old-fashioned and somewhat slow-moving; it may appeal more to class audiences than to the masses. It has, however, human interest; and one or two situations stir one's emotions deeply. This, combined with the charm of the songs and with the popularity of the players, may insure good box-office results. This play was put into pictures once before in England, and released in this country in 1933, by United Artists:—

Miss MacDonald, engaged to a British lord (Edward Ashley), cannot bear his pompous manner. At any rate, she is in love with her music teacher (Eddy), who was leaving for his homeland, Vienna. The night before her wedding, she elopes with Eddy, knowing that he had no money; they go to Vienna. There they are surrounded by good friends, but they had to struggle for a livelihood; nevertheless they are happy. They accidentally obtain employment at a famous cafe frequented by Army officers and society. George Sanders, a Baron and high Army officer, becomes enamored of Miss MacDonald, but she repulses him. She and Eddy looked forward to the day when his operetta would be produced. Through the kind efforts of an English lord (Ian Hunter), who had become interested in them, a well known producer (Charles Judels) consents to listen to the music at the cafe. While Miss MacDonald was singing one of the songs, Sanders rushes up to her and tries to take her in his arms. Eddy rushes to her protection. In a duel that follows Sanders kills Eddy. Miss MacDonald is grief-stricken. Hunter stands by her. Judels finally produces the operetta with Miss MacDonald as star; it proves a great success.

Noel Coward wrote the play, music and lyrics; Lesser Samuels, the screen-play. W. S. VanDyke II directed it, and Victor Saville produced it. In the cast are Felix Bressart, Lynne Carver, Diana Lewis, Curt Bois, and others.

Class A.

Department from the position taken by it in the pleadings in the case, in the press release accompanying the filing of the case, in the press release dated December 20, 1939, refuting rumors that the case would never come to trial and in the statement made by Assistant Attorney General Thurman Arnold before a sub-committee of the Senate Committee on the Judiciary last May at a hearing on Senator Neely's bill to separate the production and distribution of motion pictures from the exhibition thereof.

"Exhibitors do not now know what influence intervened in the Department of Justice and brought about this abrupt change of front. Gossip naturally centers about prominent personages in the Administration who are directly or indirectly interested in the motion picture industry. But speculation along this line will not settle immediate problems. If sinister influence was exerted, the facts will eventually come to light, as they always do. If no such influence was exerted, then unfounded charges will do more harm than good. For the time being, opposition to the decree must be confined to its lack of merit as a document; it can not go to the motives of those who have framed and are offering it.

"Under this Section of the decree the consenting defendants, for a period of three years, will notify the Department of Justice of any legally binding commitments made by them for the acquisition of additional theatres. The decree specifies the information to be included in the reports and the Department is authorized to request such further information as it desires. All such information will be confidential except in case of Court proceedings.

"For a period of three years no consenting defendant may 'enter upon a general program of expanding its theatre holdings' but this shall not be construed to 'prevent any defendant from acquiring theatres or interests therein to protect its investment or its competitive position *or for ordinary purposes of its business*.' Had it not been for the clause here underscored [italicized], the standstill would have been similar to that under a temporary injunction, with freedom of action only to protect existing property rights pending final outcome of the case. But the addition of this clause robs the Section of all force, renders the Section so vague that it can not be enforced and marks a capitulation by the Department of Justice as astonishing as it is complete.

"The Section goes on to provide that proceedings based on a violation thereof shall be by way of application to the Court for injunctive relief 'which shall be limited to restraining the acquisition, or ordering the divestiture of theatres or interests therein, if any, about to be acquired, or acquired, in violation of the Section.' That is to say, if the Government can sustain the seemingly impossible burden of showing that such theatres were a part of a general program of expansion and not merely acquired for ordinary purposes of business.

"Another Section (XXI) recites that the Government has represented to the Court that 'the public interest requires' that the provisions of this decree (except for the provisions in reference to trade showings and selling in groups of five) shall operate for a trial period of three years. Therefore, the decree is to be entered upon the condition that the Government will not seek theatre divorce-ment as prayed in the complaint, or seek to dissolve or break up any of the affiliated circuits, until three years have elapsed. This provision may have a restraining influence on the defendant distributors during the three year test period. They still will have the threat of divorce-ment hanging over their heads. If in the meantime they continue their abuses, oppressions and depredations they will chalk up a record that should insure further proceedings for divorce-ment unless, in the meantime, all witnesses have died or been bought off or the defendants retain sufficient influence with the Department of Justice to enable them to go scot free."

BOX-OFFICE PERFORMANCES

Columbia

The previous box-office performances of Columbia pictures were published in the October 12 issue:

1939-40 Season

"Glamour for Sale": Fair-Poor.

"Angels over Broadway": Good-Poor.

Forty-two pictures have been released excluding nine westerns. Grouping the pictures of the different ratings from the beginning of the season we get the following results:

Excellent-Very Good, 1; Very Good, 1; Very Good-Good, 1; Good, 2; Good-Fair, 4; Good-Poor, 1; Fair, 10; Fair-Poor, 15; Poor, 7.

1940-41 Season

"Fugitive from a Prison Camp": Fair-Poor.

"So You Won't Talk": Fair-Poor.

First National

The previous box-office performances of First National pictures were published in the October 12 issue:

"Father Is a Prince": Fair-Poor.

"Tugboat Annie Sails Again": Good-Fair.

"Always a Bride": Fair-Poor.

"East of the River": Good-Fair.

Five pictures have so far been released. They are rated as follows:

Very Good-Fair, 1; Good-Fair, 2; Fair-Poor, 2.

Metro-Goldwyn-Mayer

The previous box-office performances of Metro-Goldwyn-Mayer pictures were published in the October 12 issue:

"Strike Up the Band": Excellent-Very Good.

"Sky Murder": Fair.

"Dulcy": Good-Fair.

"Third Finger Left Hand": Good.

"Hullabaloo": Fair.

Eight pictures have so far been listed. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 1; Good, 1; Good-Fair, 3; Fair, 3.

Paramount

The previous box-office performances of Paramount pictures were published in the October 12 issue:

1939-40 Season

"Northwest Mounted Police": Excellent-Very Good.

Fifty-two pictures have been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Excellent-Very Good, 1; Very Good, 1; Very Good-Good, 2; Very Good-Fair, 4; Very Good-Poor, 1; Good-Fair, 9; Good-Poor, 6; Fair, 11; Fair-Poor, 14; Poor, 3.

1940-41 Season

"The Quarterback": Good-Poor.

"Cherokee Strip": Fair-Poor.

"Moon over Burma": Good-Fair.

"Christmas in July": Good-Fair.

"Dancing on a Dime": Fair-Poor.

"Arise My Love": Very Good-Good.

Nine pictures have so far been listed. They are rated as follows:

Very Good-Good, 1; Good-Fair, 5; Good-Poor, 1; Fair-Poor, 2.

RKO

The previous box-office performances of RKO pictures were published in the October 12 issue:

"Dreaming Out Loud": Fair-Poor.

"I'm Still Alive": Fair-Poor.

"The Villain Still Pursued Her": Poor.

"Laddie": Fair-Poor.

"They Knew What They Wanted": Good-Fair.

Six pictures, excluding one western, have so far been released. Grouping the pictures of the different ratings, we get the following results:

Good-Fair, 1; Fair-Poor, 4; Poor, 1.

Twentieth Century-Fox

The previous box-office performances of Twentieth Century-Fox pictures were published in the October 19 issue:

"The Gay Caballero": Good-Poor.

"Down Argentine Way": Excellent-Fair.

"Night Train": Good-Poor.

"The Great Profile": Good-Poor.

"The Mark of Zorro": Very Good-Good.

Fourteen pictures have so far been listed. Grouping the pictures of the different ratings from the beginning of the season we get the following results:

Excellent-Fair, 1; Very Good-Good, 1; Very Good-Poor, 1; Good-Fair, 1; Good-Poor, 5; Fair-Poor, 5.

United Artists

The previous box-office performances of United Artists pictures were published in the October 19 issue:

"The Westerner": Very Good-Good.

Six pictures have so far been listed. Grouping the pictures of the different ratings, we get the following results:

Very Good-Good, 2; Good-Fair, 3; Fair, 1.

Warner Bros.

The previous box-office performances of Warner Bros. pictures were published in the October 19 issue:

"Calling All Husbands": Fair-Poor.

"City for Conquest": Very Good-Fair.

"Knut Rockne—All American": Very Good-Good.

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HERE AND THERE

IN THE FINAL FORM of the Consent Decree, the Allied leaders did not get what they asked for and hoped to get from the government. They tried hard, but they were disappointed in the end, as Mr. Abram F. Myers, chief Allied counsel, expressed himself in his analysis of the Decree.

Perhaps the fault was not altogether of the Department of Justice that Allied wasn't more successful, despite the superhuman work of Mr. Myers; the exhibitors themselves may have been the cause of such failure: When the names of the witnesses to the equity suit were made public, in accordance with an order of the Court, many exhibitors rushed into print to deny that they had given permission to Allied to make them witnesses. Some of them admitted that they had complained to Allied, submitting to it definite grievances against the defendants, but stated that they had not given permission to the Allied leaders to make them witnesses. Perhaps the officials of the Department of Justice became discouraged when they saw that exhibitors who should have stood by it showed that they would either make bad witnesses, or not take the stand at all. Under the circumstances, these officials may have felt that their chances for winning the suit were so slim that a compromise would be preferable; and in compromises one certainly cannot get so much for those whose interests one attempts to protect. Had the exhibitors shown a little spunk, the results might have been altogether different.

But with all that, the Consent Decree offers reforms that the independent exhibitors could not hope to obtain otherwise.

The Decree may prove more beneficial than many independent exhibitors ever hoped that it would prove. All they need to do is to give it a chance.

* * *

THREE OF THE MAJOR COMPANIES—Columbia, United Artists and Universal—will, of course, be able to sell their pictures as before, as an entire year's output, because they have not signed the Consent Decree.

Of the three, United Artists should not be put in the same category, for its setup is such that the exhibitors will still be able to buy its pictures in groups of five, approximately the maximum number of pictures each of its producers makes during a season.

In regards to Columbia, I doubt if it will be able to induce a substantial number of exhibitors to buy its entire output at once. For the past several years this company has had one or two good pictures in a season, and its ability to sell its other pictures depended entirely on these two good pictures. When the exhibitors see that they are able to buy from five big companies, five pictures at a time, and with each group of five perhaps one box-office winner, it is unlikely that they will be willing to buy from Columbia forty-six, or fifty-two pictures, as the case may be, in order for them to get two good pictures during a full season.

This leaves Universal: Because of its Deanna Durbin pictures, this company may be able to induce a substantial number of exhibitors to book its entire output the first year.

The new sales system, along with the other fair trade practices, imposed by the Government on the Big Five, may yet prove the salvation of the picture business.

* * *

ALTHOUGH THE CONSENT DECREE stipulates that selling in five-picture blocks starts after August 31, 1941, nothing can stop the five consenting distributors, or any other distributors, for that matter, from putting the new sales system into force before that date.

Exhibitors should do well to keep an accurate record of the pictures under production, with names of the stars, of the supporting cast, of the producer and the director, so

that they may at all times know what pictures are about to be tradeshow. HARRISON'S REPORTS will, not only print such information, but also give an idea as to the possible value of the stories, by obtaining synopses of the pictures under production and analyzing them, in the same manner that it did in the *Forecaster*.

* * *

IF PARAMOUNT SHOULD CARRY OUT its announced decision not to sell a subsequent five-picture block until the prior block is sold, the independent exhibitors should benefit greatly, for those who should happen to be in territories where a given block is not sold will have a chance to know what the pictures did in the territories where the block was sold and played.

But the independent exhibitor will not be the only one who will profit from the Paramount system; Paramount itself should benefit, for if the pictures of that block should turn out to be bigger box-office successes than it thought they would be, it will be in a position to command greater rentals, without burdening the exhibitor, for the pictures will have demonstrated by a test what they are actually worth.

Under such a system, Paramount will set no national release dates; but the exhibitor will always be able to know the approximate time of a picture's exit from the cutting room.

* * *

ACCORDING TO DOUGLAS CHURCHILL Hollywood correspondent of the *New York Times*, Metro-Goldwyn-Mayer is going to remake "Dr. Jekyll and Mr. Hyde," the Robert Louis Stevenson horror story, which has already been produced twice by Paramount: in 1920, with John Barrymore, and in 1932, with Fredric March and Miriam Hopkins.

The fact that "Dr. Jekyll and Mr. Hyde" has been produced twice already is not what concerns this paper so much as the fact that Spencer Tracy will be given the leading part.

What merit can MGM see in a story of this type for an actor of Mr. Tracy's popularity? The theme is morbid, and consequently unhealthy, and the part of the chief character is unpleasant. It is a kind of part that can do no good to Mr. Tracy, and may do him irreparable harm.

HARRISON'S REPORTS hopes that the studio executives of Metro-Goldwyn-Mayer will reconsider their decision. If not, Mr. W. F. Rodgers, who will have to sell the picture, should use his influence to dissuade them from making such a mistake. Actors of Mr. Tracy's box office value are few enough; why make them fewer?

* * *

IN A RECENT ISSUE of *The Film Daily* it was stated that Col. H. A. Cole, president of Allied States Association, will refuse reelection to the presidency, and that Martin Smith, of Columbus, Ohio, may be the next president.

If Harry Cole intends to retire from the presidency, then the members of Allied should give him a testimonial banquet in Washington next January, when the Board of Directors of Allied States Association meets to elect the new president. The affair should have a national scope, so that the exhibitors should at least express their gratitude to those who have been serving their interests, at times at a great sacrifice.

As far as the *Film Daily*'s belief that Martin Smith is in line for the presidency of Allied, it is the opinion of this paper that, at this time, there is one other exhibitor leader on whom the members of Allied States might cast their eyes for the national post—Jack Kirsch. But after the news item about Cole had been printed in the *Film Daily*, Jack Kirsch himself expressed the desire to see Mr. Smith as

(Continued on last page)

"The Philadelphia Story" with Katharine Hepburn, Cary Grant, James Stewart and Ruth Hussey

(MGM, January 10; time, 111 min.)

Very good adult entertainment! It gives spectators a chance to appreciate talking pictures, for the dialogue is sparkling. As a matter of fact, the picture excels in many ways: the production is extremely lavish, the direction masterly, and the acting brilliant. In spite of the fact that the story is sophisticated, the picture's appeal is not limited to class audiences; the masses should enjoy it equally well, for it has plentiful human appeal, comedy, and romance:—

Katharine Hepburn, two years after her divorce from Cary Grant, plans to wed John Howard, an up-and-coming young man who had risen from poverty to national importance. Miss Hepburn's young sister (Virginia Weidler) does not like Howard and plainly states that she wished Grant would return. Henry Daniell, editor of a "keyhole" magazine for which Grant worked, is determined to obtain pictures of the society wedding for his magazine, even though he knew the family shunned publicity. Grant, knowing that Daniell was holding a story about an affair between Miss Hepburn's father (John Halliday) and a Broadway dancer, agrees to take James Stewart, a reporter, and Ruth Hussey, a photographer and Stewart's girl friend, to the house. He introduces them as friends of Miss Hepburn's brother, who lived out of town, but the family soon finds out who they really were. Grant explains to Miss Hepburn why she would have to submit to the publicity. She tries to make fools of both Stewart and Miss Hussey, but does not succeed; instead, she starts thinking about herself and about what Grant had said was wrong with her—that she needed to be humanized, to be more tolerant of the frailties of others. At a large party given the night before the wedding, Miss Hepburn and Stewart, having drunk a little too much champagne, get a little romantic and kiss. They then rush off for a swim. Both Howard and Grant see Stewart carrying her in his arms back to the house, with her legs dangling; Howard suspects the worst. The following morning, Miss Hepburn does not remember anything; but from hints that were dropped she realizes it and becomes terrified, fearful of what might have happened. She reads a note from Howard breaking off the wedding; he calls to see her. Stewart swears that nothing had happened, and Howard is willing to forgive. But Miss Hepburn does not want him. Grant proposes to her; this makes her happy, and the ceremony goes on but with Grant as bridegroom.

The plot was adapted from the play by Philip Barry; Donald Ogden Stewart wrote the screen play; George Cukor directed it, and Joseph L. Mankiewicz produced it. Roland Young, Mary Nash, Lionel Pape, and others are in the cast.

Not for children. Class B.

"A Night at Earl Carroll's" with Ken Murray, Rose Hobart and Earl Carroll

(Paramount, December 6; time, 62 min.)

Aside from a few lavish production numbers, there's not much to recommend in this comedy with music. The story is trite, the action slow, and the musical numbers slightly tiresome. Moreover, the players mean very little to the box-office. At the conclusion, the spectator feels that it was just one big advertisement for Earl Carroll's theatre-restaurant, for it seems as if the picture was photographed there; the place is constantly "plugged." Its main attraction for certain theatres is its lavishness, and the fact that pretty girls appear attired scantily:—

In an effort to humiliate the Mayor of Hollywood (Russell Hicks), who was entertaining Mayors from different California cities at Earl Carroll's Restaurant, J. Carroll Naish, a gangster, has his men kidnap Carroll and the principal members of his show. Naish, who was at the restaurant with some friends, felt that, when it would be announced that no show would be put on, Hicks would appear in a silly position. But Rose Hobart, Carroll's assistant, and Ken Murray, his publicity agent, decide not to let Naish get away with it; with the minor players, they put on a show and keep things going until Carroll and the other players, who had outwitted their kidnappers, arrive. Naish is arrested as he tries to leave. Carroll praises Miss Hobart; he is pleased when she tells him she was going to marry Murray, who had induced two silly but wealthy old maids to invest money in a chain of Earl Carroll theatre-restaurants throughout the country.

Lynn Starling wrote the original screen play, Kurt Neumann directed it, and Earl Carroll produced it. In the cast are Lillian Cornell, Blanche Stewart, Elvia Allman, and others. Suitability, Class A.

"Arizona" with Jean Arthur, William Holden and Warren William

(Columbia, December 25; time, 126 min.)

Columbia shot the works in the production of this picture; in accordance with reports in the trade papers, they spent over \$2,000,000. But the final result does not seem to justify the cost. It is a "big" picture, as far as settings, length, direction and acting are concerned; but as entertainment it is just a very good western, with three outstanding situations, the most important being the situation that shows the hero stampeding the cattle in order to drive off an Indian raid. Jean Arthur actually carries the picture alone. With a stronger male lead, the picture might have been much better.

The story revolves around Phoebe Titus (Jean Arthur), the first American woman to settle at Tucson, Arizona. Strong, fearless, and honest, she was respected by all, and even feared by the bad men of the territory. Her one ambition was to own a ranch with good cattle, then settle down, marry and rear a family. But no man seemed suitable, until she meets William Holden, a young adventurer who had arrived at Tucson with a group of settlers. Having the wanderlust, however, he would not consider settling down, even though he had fallen in love with Miss Arthur, until he had seen California; then he would return. While he was away, Miss Arthur decides to give up the pie-baking business to go into the freighting business with Paul Harvey, a shop-keeper. They meet with many obstacles, owing to the plotting by Porter Hall, opposition freighter, who, guided by the master mind of Warren William, who posed as an honest man, had induced the Indians to attack Miss Arthur's coaches. And, since they were without army protection, because of the Civil War, there was nothing Miss Arthur could do. Eventually the Union soldiers return to restore law and order. Holden is one of the soldiers. Through his influence, Miss Arthur obtains an Army contract. To ruin her chances, Hall accuses her of having worked for the Confederate Army; but she and Holden, at the point of a gun, force him to sign a confession proving her innocence. Miss Arthur accumulates \$15,000 with which she hoped to buy cattle for the ranch she had already acquired. But William's men steal the money. Unsuspecting Miss Arthur accepts from William a loan of \$20,000, giving her ranch and freight business as security. Holden is annoyed, for he did not trust William. While Holden was away purchasing the cattle, Miss Arthur learns the truth and calls William a thief; she tells him that Holden would fight for her on his return. Despite all William's tricks, Holden gets the cattle through. After his marriage to Miss Arthur, he kills William in a gun fight.

The plot was based on the story by Clarence Budington Kelland; Claude Binyon wrote the screen play; Wesley Ruggles directed and produced it. In the cast are George Chandler, Byron Foulger, Regis Toomey, Addison Richards, Colin Tapley, Edgar Buchanan, and others.

Class A.

"The Great Plane Robbery" with Jack Holt

(Columbia, December 9; time, 53 min.)

A typical Jack Holt program melodrama. The production values are fair, and the performances adequate. Despite the action's slowness in spots, the picture should hold the interest of the Holt fans, for he is again shown as the fearless opponent of criminals. There is a romance between two minor characters, but it adds nothing to the picture's value:

Holt, a detective for an insurance company, is given the task of protecting Noel Madison, a gangster; the insurance company held a \$500,000 policy on Madison's life; it was to expire in ninety days and, knowing that Madison had many enemies, they wanted Holt to watch over him. Holt boards the same plane that Madison had taken with two pals; there were other passengers in the plane. Once the plane is up, the two men accompanying Madison force the pilot to change the course and to follow their directions. They land at a hunting lodge where Stanley Fields, a gangster, greets them. He promises not to harm anyone if Madison would tell him where he had hidden a supposed large sum of money. Fields refuses to believe Madison's story that he had no money. Holt, by posing as a gangster, induces Fields to follow another course of action, hoping in that way to get word to his insurance company. The plan works; but Fields finds out who Holt really was. By that time, however, the police are on their trail and round up the whole gang. The passengers are flown to California; Holt is pleased when Madison is arrested on another charge. That meant he would be safe for the next ninety days.

Harold Greene wrote the story, and Albert DeMond, the screen play; Lewis D. Collins directed it. In the cast are Vicki Lester, Granville Owen, Theodore VonEltz, Hobart Cavanaugh, and others. Not for children. Class B.

"Meet the Missus" with Roscoe Karns, Ruth Donnelly and Spencer Charters

(*Republic, November 29; time, 68 min.*)

This is a continuation of the "Higgins Family" series, with new players, except for Lois Ranson; the change is for the better. But the story used this time is such a hodge-podge of nonsense, bordering on the slapstick, that it is doubtful if any one will have the patience to sit through to the end. The only thing that can be said in its favor is that the action is fast-moving, although some of it is of the nerve-racking kind:—

Roscoe Karns (Joe Higgins), his wife (Ruth Donnelly), father-in-law (Spencer Charters), and two children (Lois Ranson and George Ernest), including Miss Ranson's fiance (Alan Ladd), are about to sit down to dinner celebrating Karns' receipt of a bonus, when George, who worked for the same firm that his father did, suddenly discovers that he had lost the \$5,000 worth of negotiable bonds entrusted to him by his firm for delivery to a bank. They search high and low, but cannot find any trace of it. They do not know that a neighbor's dog had picked up the envelope and had hidden it in the cellar. Karns tries to make a loan of \$5,000 but is unsuccessful; he urges Charters to marry a wealthy widow (Polly Moran); Charters reluctantly writes a letter proposing marriage. Just as he is about to deliver it, he hears from Karns that he might obtain the loan. He burns some papers, thinking the letter was amongst them. But it falls into Miss Moran's hands; when she hears he did not mean what he said, she decides to sue him. Karns tries to get the letter by sneaking into Miss Moran's apartment; but he gets into Astrid Allwyn's apartment by mistake. A fight ensues, they both land in jail, and Karns is disgraced; in addition, Miss Allwyn's jealous fiance wants to kill him. Everything is settled finally; the bonds are found, and the family settles down to a quiet life once more.

Val Burton, Ewart Adamson and Taylor Gavan wrote the original screen play; Mal St. Clair directed it, and Robert North produced it. In the cast are Harry Woods, Dorothy Ann Seese, Harry Tyler, and others.

Suitability, Class A.

"Escape to Glory" with Pat O'Brien and Constance Bennett

(*Columbia, November 28; time, 73 min.*)

A fairly good class audience melodrama. Its chief drawback, as far as its appeal to the masses is concerned, is the slow start; it all takes place on a freighter. Once the action shifts from the personal affairs of the characters to the fight between the freighter and the submarine, it holds one in tense suspense, for it is realistic; but it is also harrowing. The characters, with the exception of two minor ones, fail to awaken much sympathy:—

Having received notice of the imminence of war between England and Germany, a group of persons, in addition to the crew, board an English freighter bound for New York; among them are: Pat O'Brien, a mercenary soldier; John Halliday, a crooked district attorney and his sweetheart (Constance Bennett); Alan Baxter, a gangster out to get Halliday; Erwin Kalser, a German doctor. A short time before they sail, they hear the news that war had been declared. Baxter tells Halliday he intended to kill him; Miss Bennett is shocked to learn that Halliday had been mixed up with crooks and by double-crossing them had been the cause of the death of Baxter's brother and sweetheart. O'Brien and Miss Bennett are attracted to each other. When the freighter is attacked by a German submarine, the passengers give what assistance they can. The freighter takes advantage of a heavy fog to stop her motors and make repairs; the submarine could not locate her. Kalser, by means of a short wave set, tries to give the submarine their location; but O'Brien and Baxter stop him in time. Knowing that their only chance depended on getting the submarine before the fog lifted, the Captain, following O'Brien's suggestion to send three men out in a boat with the short wave set to act as a decoy to bring the submarine to the top and then blow it up with explosives they carried, asks his crew to pick for the task, because it meant that the three would die. But Baxter, at the point of a gun, insists on going and taking with him Halliday; the steward joins them. They carry out their job and are killed. The others are grief-stricken, even though they were now out of danger.

Sidney Biddell and Fredric Frank wrote the story, and P. J. Wolfson, the screen play; John Brahm directed it, and Samuel Bischoff produced it. In the cast are Melville Cooper, Marjorie Gateson, Francis Pierlot, Jessie Busley, Edgar Buchanan, and others.

Not for children. Adult fare. Class B.

"Give Us Wings" with "The Dead End Kids," Wallace Ford and Victor Jory

(*Universal, December 20; time, 61 min.*)

A moderately entertaining program picture. The "Dead End Kids" go through their usual antics; this may please their fans, but it should prove tiresome to others. The best parts are the stunt-flying scenes; they show how crop-dusting is done from the air. And the closing scenes, which involve an automobile and plane chase, provide a few thrills. The romantic interest is incidental:—

Five young boys (Billy Halop, Huntz Hall, Gabriel Dell, Bernard Punsly and Bobby Jordan), who were studying aviation at a N.Y.A. camp, are annoyed because they were kept at ground work when they wanted to fly. Jory, head of a crop-dusting firm, induces the boys to join his outfit as flyers, offering them \$100 a month each. The boys joyfully accept, not knowing that Jory used old crates, and that his firm was under investigation by the government. When the boys arrive, Wallace Ford, Jory's manager and crack pilot, is enraged to think that Jory would try to use the services of young boys, who were amateur flyers, for such difficult work as had to be done. Without giving the boys a reason, Ford keeps them on ground work; they think he was working against them. They eventually find out how right he was, but not until one of the boys (Jordan) is killed while flying an antiquated plane which Jory had induced him to fly for crop-dusting work. Halop goes after Jory in an exciting chase, which ends up in Halop's forcing Jory's plane down. The police arrest Jory. The boys agree to stay with Ford, who was starting his own business; they promise to obey orders.

Eliot Gibbons wrote the story, and Arthur T. Horner and Robert L. Johnson, the screen play; Charles Lamont directed it, and Ken Goldsmith produced it. In the cast are Harris Berger, Milburn Stone, and others.

Suitability, Class A.

"Charter Pilot" with Lloyd Nolan, Lynn Bari and Arleen Whelan

(*20th Century-Fox, December 6; time, 70 min.*)

Good program entertainment. The story combines melodrama with comedy and romance; the action is fast-moving and at times thrilling. Although the plot is far-fetched, it holds one's attention because of the engaging performances given by Lloyd Nolan and Lynn Bari; they act their respective parts so convincingly that they almost make the action believable:—

Nolan, a daring flyer, because of the demands of his fiancee (Miss Bari), a radio star, gives up his hazardous work to accept an executive position with an airline company. But he is bored. His company's efforts to obtain a contract with a Honduras company to fly gold from their mines meets with many obstacles. Nolan's former flying partner (George Montgomery) is sent down with a new plane; he meets Arleen Whelan, who was in charge of the Honduras office, and they fall in love. But he, too, meets with mishaps. Finally Nolan decides to fly down there himself to investigate matters. Miss Bari is furious and breaks their engagement. Once Nolan arrives in Honduras he sends back pictures of himself with Miss Whelan to make Miss Bari jealous; it works. She obtains permission from the radio company to go to Honduras to continue with her broadcasts about the daring of Nolan, the flyer. When Miss Bari arrives, Nolan is overjoyed, for he thought she had followed him; but when he learns about the broadcasts he is angry. They patch up their quarrels, however. Nolan learns about the sabotage work but does not suspect that Henry Victor, rival airline head, was at the back of it. Learning that Montgomery had gone off in a plane in which poison gas had been substituted for oxygen, Nolan accepts Victor's offer to use his plane for the rescue work. Victor and Miss Bari join him—Miss Bari to broadcast the thrilling work from the plane. Victor tries to kill Nolan, but Miss Bari hits him over the head. Nolan is forced to turn the controls over to Miss Bari, who knew nothing about flying, while he fought Victor, whom he finally overpowers. Miss Bari had, in the meantime, been broadcasting everything. Nolan is successful in catching up with Montgomery; he orders him to turn back, thus saving his life. Nolan's company gets the contract; and Nolan and Miss Bari finally marry.

J. Robert Bren and Norman Houston wrote the story, and Stanley Rauh and Lester Ziffren, the screen play; Eugene Forde directed it, and Sol M. Wurtzel produced it. In the cast are Hobart Cavanaugh, Etta McDaniel, Andrew Tombes, Chick Chandler, and others.

Suitability, Class A.

the new president, because of his longer service as an exhibitor leader.

Being a leader of an organization is often a thankless job. Electing an exhibitor as a leader is no favor to him but a debt on the part of the rank and file; it is merely recognition that such an exhibitor will work his head off for others, sometimes without even their thanks.

* * *

EVERY ONE OF YOU KNOWS, I am sure, that every year *The Film Daily* conducts a poll for the purpose of determining which were the best ten pictures of the twelve months preceding the poll. The titles of all the pictures released during those months is given, to make it easy for the participant in the poll to mark his ten best.

Last week I received from *The Film Daily* the usual annual blank; it includes pictures released beginning November 1, 1939, and ending October 31, 1940, exclusive of roadshow pictures, released dates for which have not been set. In other words, "Gone With the Wind" is excluded from the poll this time.

I have gone over the list with a fine comb, but have been unable to find ten all-decent pictures to report. The best that I could do is the following: "Boontown" (MGM), "Ninotchka" (MGM), "Pride and Prejudice" (MGM), "Pinocchio" (Disney-RKO), "My Favorite Wife" (RKO), "Rebecca" (Selznick-United Artists), "All This and Heaven, Too," "Knutte Rockne—All American," "We Are Not Alone," and "Torrid Zone" (all four Warner Bros.).

The list is a sorry sight; it is the best answer to those who have been spreading propaganda around that the quality of the product during the 1939-40 season improved greatly.

WHAT THE CONSENT DECREE PROVIDES—No. 5

(Continued from last week)

Article XII reads partly as follows:

"(a) If prior to June 1, 1942, a decree shall not have been entered against the defendants United Artists Corporation, Universal Corporation and Columbia Pictures Corporation, requiring each of them to trade show its features before licensing the same for exhibition, Section III of this decree, after said date, shall be inoperative and of no binding force and effect upon the consenting defendants, or any of them, except with respect to licenses entered into prior to September 1, 1942, for the exhibition of features released prior to such date and subsequent to August 31, 1941."

Then follow the following conditions:

If by June 1, 1942, Columbia, United Artists and Universal shall not have been found guilty, the court decreeing that they must tradeshow their pictures like the five consenting defendants, and to sell them in groups of five pictures, then the present decree shall become null and void with the exception of all feature pictures that have been sold under it prior to September 1, 1942, and subsequently to August 31, 1941.

If prior to June 1, 1941, the court should hand down a decree compelling the three companies to tradeshow their pictures, as well as to sell them in groups of five, then, in the event that the provisions of the decree against the three companies is more favorable to the distributors than the provisions of the present decree, the five companies shall have the right to ask the court to relieve them from these provisions in preference to the provisions of the new decree. But if the provisions of the new decree should be harsher, and the three companies shall have appealed to the higher courts for a reversal, suspending the operation of such decree pending the outcome of the appeal, then the provisions of the present decree, so far as tradeshowing of the pictures and selling them in groups of five are concerned, shall likewise be suspended until the new decree shall have become final and binding on the consenting defendants. After the decree shall have become final, then the consenting defendants shall have the right to choose the decree that suits them better.

In the meantime, if Congress should pass legislation compelling the distributors to tradeshow their pictures before selling them, and to sell them either singly or in small groups, or by any other method, then the five companies may apply to the court to be relieved from the provisions of the Consent Decree so far as it relates to these two matters.

If after September 1, 1942, a distributor should prove to the court that, because of competition from companies not selling their pictures in accordance with the provisions of the Consent Decree, its business has been affected adversely,

such distributor may ask the court to relieve it from the Decree's tradeshowing and group-selling provisions.

The amazing thing about this provision, says Mr. Abram F. Myers, is that it is not restricted to competition from non-consenting defendants; new distributors may enter the field, and one of the consenting distributors may cite such distributors as causing his business harm. "One might have supposed that the purpose of the Sherman law was to foster new competition," but by this provision "the Government engages to protect the existing monopoly. This is a strange principle in the enforcement of the Anti-Trust Law and discussion concerning it will not end with the entry of the decree." But the selling method provided for in the decree will "last for only one season—just long enough to tide over the possibility of enactment of the Neely Bill."

(To be continued next week)

PICTURES NOW IN PRODUCTION

Columbia

"THE FACE BEHIND THE MASK," with Peter Lorre. Program.

"BLONDIE GOES LATIN." Program.

Metro-Goldwyn-Mayer

"THE BAD MAN," with Wallace Beery, Lionel Barrymore, Laraine Day, Ronald Reagan, Henry O'Neil, and others. This story was produced twice by First National; in 1923, with Holbrook Blinn, and in 1930, with Walter Huston. The Blinn version was very amusing, the Huston version indifferent. With Wallace Beery, produced by Metro, it should turn out better than even the Blinn version, and be still a better box office success. It is the story of a Mexican bandit who saves from the hands of a loan shark a rancher who had once saved his life.

Paramount

"NEW YORK TOWN," with Mary Martin, Robert Preston, Fred MacMurray, Akim Tamiroff, and Lynn Overman, directed by Charles Vidor. The story of a group of broken-down friends, among whom comes the heroine, also down and out. There is considerable human interest, and a sympathetic romance. Very good possibilities.

Twentieth Century-Fox

"TALL, DARK AND HANDSOME," with Cesar Romero. Program.

"MURDER AMONG FRIENDS," with John Hubbard. Program. Mr. Hubbard is a good actor but he has not yet made a following.

"THE ROAD TO RIO," with Alice Faye, Don Ameche, Carmen Miranda and her band, and others, directed by Irving Cummings. Evidently this is one of this company's ambitious productions, but since no story is available this paper cannot express an opinion as to its box office possibilities.

United Artists

"TOPPER RETURNS," with Joan Blondell, Roland Young, Carol Landis, Billie Burke, Dennis O'Keefe, Patsy Kelly, H. B. Warner, George Zucco and others, produced by Hal Roach and directed by Roy Del Ruth. The cast is good, the producer and the director likewise. Consequently the picture should turn out very good, or at least good.

"THAT UNCERTAIN FEELING," with Merle Oberon, Melvyn Douglas, Burgess Meredith, and others, produced and directed by Ernst Lubitsch. It ought to turn out from very good to excellent.

Universal

"WHO'S CRAZY NOW," with Hugh Herbert, produced by Ken Goldsmith and directed by Edward F. Cline. Good Program.

"NICE GIRL," with Deanna Durbin, Franchot Tone, Robert Benchley, Helen Broderick, Elizabeth Risdon, and others, produced by Joe Pasternak, and directed by William Seiter. Very good to excellent.

BOX OFFICE PERFORMANCES

Universal

The previous box-office performances of Universal pictures were published in the October 19 issue:

"Spring Parade": Very Good-Good.

"Diamond Frontier": Good-Poor.

"A Little Bit of Heaven": Good-Fair.

"Slightly Tempted": Fair-Poor.

Nine pictures, excluding two westerns, have so far been released. Grouping the pictures of the different ratings from the beginning of the season, we get the following results:

Very Good-Good, 2; Good-Fair, 3; Good-Poor, 1; Fair-Poor, 3.

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HERE AND THERE

"WHERE ARE THE STARS of tomorrow coming from?" asks W. R. Wilkerson in a recent issue of his *Hollywood Reporter*. "How are they to be developed? Who's going to sell them to the public?

"Rather elementary questions that . . . could be given elementary answers. But there are no answers at present, because:

"Exhibitors are now refusing to book and play pictures without star name draws, claiming that starless pictures won't gross enough to pay for the projection juice, and still:

"There are not enough name draws in the whole picture business to function one major studio.

"So what's going to happen? . . ."

The questions are not so elementary as Mr. Wilkerson thinks, and they cannot be given elementary answers.

Let us examine the history of some of the players and some of the starless pictures that made a hit at the box office in an attempt to analyze the how and the why.

Marguerite Clark became a star overnight—in "Wildflower," and for a long time she was running neck and neck with Mary Pickford, an established star at that time, as a box office favorite.

Jackie Coogan became a sensation by means of Chaplin's "The Kid."

Constance Bennett for years meant nothing to the box office until she appeared in Fox's "Common Clay"; she then became a sensation, until she began to feel as if the studios worked for her and not she for the studios.

John Gilbert became a star over night, by means of "The Big Parade."

Victor McLaglen, who meant nothing to the box office for years, became a star with one picture, "What Price Glory."

Thomas Meighan and Lon Chaney became sensations by means of "The Miracle man."

Irene Dunne became a sensation by means of "Cimarron."

James Cagney became a sensation by means of "Public Enemy No. 1," and is still going strong.

It took one picture, "Flying Down to Rio," to bring Fred Astaire to the forefront.

Vivian Leigh became a star through "Gone With The Wind."

Paul Muni and George Raft became stars by means of one picture—"Scarface."

Norma Shearer became a sensation with "The Trial of Mary Dugan."

Shirley Temple became a sensation by means of "Little Miss Marker."

And can we forget the sensational success of Deanna Durbin by means of "Three Smart Girls?"

I could go on giving example after example to prove that it took but one picture to make a star, time after time, corroborating the theory of the late Louis J. Selznick that he could make a star with only one picture. But to make such a picture, he had to have a story.

The trouble with the present producers is that, when they come upon a good story, they try to put in the leading parts stars they have on their payroll, no matter how unsuitable for the respective parts there are, instead of try-

ing to give them to actors who fit the parts best; and until they reverse the procedure we shall have a star famine.

The reason why the exhibitors refuse to feature a picture without star names is their knowledge that the picture will die at the box office when the story is not so strong. Did it take much coaxing to induce exhibitors to play "The Miracle Man," "Heart of Humanity," "Lady for a Day," "Front Page," "Skippy" (Jackie Cooper's first picture), "Scarface," "Hell's Angels," "The Big House," "Seventh Heaven," "All Quiet on the Western Front," just to mention a few, even though they had no stars?

* * *

THE MAJOR COMPANIES are abusing the "Sneak Preview" method of testing audience reaction before a picture is released nationally. Such was the tone of an editorial in *The Independent*, house organ of Independent Theatre Owners of New York City.

"The sneak preview idea," says *The Independent*, "has been set up as a regular policy by some affiliated theatres in various sections of the country. In New Rochelle, New York, RKO and Loew have been using it as a routine business attraction for quite a long spell. RKO is now carrying the practice into neighboring White Plains. Loew's, for the first time last week, had a sneak preview—'Arizona'—in its Yonkers theatre. Most of the time, the name of the picture is not announced. Sometimes it is.

"But whether the name of the picture is revealed or not makes no difference. The preview itself is advertised even more extensively than the regular double feature program of two first run pictures. The doorman barks out that the preview will be held, the newspapers tell of it and the operator heralds the event over the telephone.

"This is a pernicious practice and an inexcusable evil. It means that the affiliated theatres, in addition to having the pick of the product, playing it first run and at low admission prices, now have triple features one night a week . . ."

Sneak previews, given under the circumstances described, are an abuse; they defeat the very object for which they are given, which is to test, not the picture's box-office merit, but how an unaware public will receive it as entertainment.

The editor of *The Independent* has every right to complain against this type of abuse.

* * *

HENRY ELMAN, manager of the Chicago office of Monogram Pictures Corporation, complains of the Review of "The Ape," published in a recent issue of HARRISON'S REPORTS. "This picture is doing a tremendous box-office business," he says, "and bookings were coming in so fast and furious that it was impossible for us to secure sufficient prints to take care of our needs.

"'The Ape' was double-billed in this city with . . . a . . . picture. 'The Ape' received top billing and every one who saw the double bill felt its position was justified.

"In view of the circumstances, don't you think that you owe Monogram an apology?"

Not having been in Chicago at the time "The Ape" was showing as part of a double bill I cannot say whether it was "The Ape" or the other picture that did the business; I assume that Mr. Elman is correct in saying that all those who saw it felt that the top spot for the Monogram picture was justified. But I still feel like *The New York Times* reviewer, who started his review: "Perhaps if you are under

(Continued on last page)

"San Francisco Docks" with Burgess Meredith, Irene Hervey and Robert Armstrong

(Universal, January 10; time, 65 min.)

A fair program melodrama. The story and plot developments are routine, and for that reason the picture holds few surprises for the average patron. Yet the characters are fairly pleasant, and one feels sympathy for the hero and the heroine; the respective parts are played capably by Burgess Meredith and Irene Hervey. Although the comedy is handled by Barry Fitzgerald and Raymond Walburn, the material given them is hardly worthy of their talents:—

Ed Pawley, a criminal, escapes from Alcatraz Prison and hides out at the waterfront. Having noticed a quarrel at a cafe between Burgess Meredith and a politician who had been the cause of Pawley's going to prison, Pawley gets an idea: later in the evening he kills the politician, knowing that suspicion would fall on Meredith. Pawley then meets his wife (Esther Ralston) as prearranged; she was making arrangements for them both to leave the country. Meredith is arrested, tried, and convicted. His sweetheart (Irene Hervey) is determined to win his freedom. With the help of the friendly neighborhood priest (Robert Armstrong), and a few friends, she starts working on the case. From chance remarks made by Meredith, she gets to the parties involved and solves the case. Armstrong forces Pawley to confess; this brings about Meredith's release from prison.

Stanley C. Rubin and Edmund L. Hartman wrote the screen play, Arthur Lubin directed it, and Marshall Grant produced it. Ed Gargan and others are in the cast.

Not for children. Class B.

"The Son of Monte Cristo" with Louis Hayward, Joan Bennett and George Sanders

(United Artists, Jan. 1; time, 102 min.)

Patrons who remember how entertaining was "The Count of Monte Cristo" may flock to the box-office to see this picture. But if they expect to find this as exciting as the first, they will be disappointed. The story is routine and the plot developments obvious; moreover, even though the players try hard, they are not very convincing. There are a few chases, several duels, and two exciting prison escapes. It may, however, do well at the box-office because of the popularity of the players and of the fact that patrons enjoy swashbuckling melodrama. The action takes place about 1865:—

Although Grand Duchess Zona (Joan Bennett) was the ruler of Lichtenburg, the country was under the dominance of Gurko Lanen (George Sanders), a former peasant, who had declared himself dictator. In an effort to obtain help for her country, Zona secretly leaves for Paris with a letter from Neuhof (Montagu Love), her faithful prime minister, to Louis Napoleon. Through his spies, Lanen learns of the trip and sends his soldiers after Zona. A hunter (Louis Hayward) riding into the roadway causes the carriage horses to bolt; the carriage is wrecked. He introduces himself to Zona as The Count of Monte Cristo, and offers his help; he takes her and her chaperone to an inn. But the soldiers arrive. Despite the Count's efforts to protect Zona, he is outnumbered, and Zona is taken back. Lanen, determined to marry her, warns her that her resistance was useless. The Count, who had fallen in love with Zona, hastens to Lichtenburg; he had intended going there anyway to investigate Lanen's request for a large loan. Once there, the Count becomes acquainted with the men attempting to overthrow Lanen, and he promises his help. Without Lanen's suspecting anything, he asks the Count to stay at the palace until the deal was consummated. The Count purposefully acts like a fool, even though he knew this disgusted Zona. Lanen informs Zona of an agreement he had signed with Russia whereby they would invade the country should France intervene, and she, in order to save her people, agrees to marry him. Her hopes are raised by the brave actions of a masked man known as "The Torch," who was disrupting Lanen's plans. When later she learns that he was the Count, she is overjoyed. But Lanen, too, had found out about the Count and imprisons him. The Count's friends cleverly carry out his rescue; he appears at the palace in time to stop the marriage. In a duel, the Count kills Lanen. He then marries Zona.

George Bruce wrote the screen play, Rowland V. Lee directed it, and Edward Small produced it. In the cast are Florence Bates, Lionel Royce, Ian Mac Wolfe, Jack Mullhall, Theodore Von Eltz, and others.

Suitability, Class A.

"The Texas Rangers Ride Again" with John Howard, Ellen Drew and May Robson

(Paramount, Dec. 13; time, 67 min.)

This cannot compare to the first "Texas Rangers" picture; it is neither as exciting nor as well made. It is just a fair Western, with a formula plot. Its chances at the box-office will depend mostly on the value of the players who, although not important stars, make up a good cast as a combination. Akim Tamiroff is wasted in a minor role. Only towards the end is the picture really exciting. There is a pleasant romance:—

May Robson, head of the family owning a large cattle ranch in Texas, is enraged because of the inability of her men, including a few relatives, to stop the cattle-rustling that had been going on at her ranch; she had been unaware that her own cousin (John Miljan) was at the head of the rustlers, and that he killed the cattle right on her property, and sent it to his agent who packed and shipped it, splitting the profits. Miss Robson asks the Texas Rangers to help her out. When their regular men can find no trace of the rustlers, the Rangers adopt a different plan: They send two of their men (John Howard and Broderick Crawford) to the gang, Howard posing as a dangerous criminal and Crawford as his pal. Together, they obtain the proof they needed to round up the gang. But the gang finds out about them before they could carry out their work; Crawford manages, however, to get a message to headquarters, thereby bringing help to them. The gang is rounded up. With his work finished, Howard turns his attentions to Miss Robson's granddaughter (Ellen Drew), with whom he had fallen in love.

William R. Lipman and Horace McCoy wrote the original screen play, James Hogan directed it. In the cast are Charley Grapewin, William Duncan, Anthony Quinn, Harvey Stephens, Edward Pawley, and others.

Suitability, Class A.

"The Bank Dick" with W. C. Fields

(Universal, November 29; time, 71 min.)

A good program comedy. W. C. Fields is at his best and for that reason the picture should go over very well with his fans. For patrons who are not Fields' enthusiasts, the picture does not offer much, for he appears throughout, and his antics are the cause for most of the laughter. There is in the end an automobile chase, which reminds one of the old slapstick days; it is still comical and even exciting. Exhibitors who cater to patrons in religious centers may have trouble with it because of the excessive drinking shown:—

Fields seeks solace in drink: he had no job, and his family, consisting of wife (Cora Witherspoon), two daughters (Una Merkel and Evelyn Del Rio), and mother-in-law (Jessie Ralph), treated him with contempt. One day at his favorite cafe, he meets Dick Purcell, manager of a motion picture company in town on location. Fields, with his customary lies, impresses Purcell by telling him that he had once directed great stars. Since the regular director was too drunk to direct the picture, Purcell turns it over to Fields, who soon tires of the work. In the meantime, he suggests to Purcell a plot for another picture. Fields through an accident, captures a crook who had just held up the town bank, recovering the money. To show his appreciation, the president of the bank makes Fields a bank dick. While celebrating his good fortune at a bar, Fields becomes acquainted with a high pressure stock salesman. Fields induces Grady Sutton, bank teller who was in love with Miss Merkel, to use bank funds with which to purchase the bonds; Sutton does it only because he expected a bonus within a few days and could then replace the money. To his dismay, the bank examiner (Franklin Pangborn) arrives. Fields tries his best to stop Pangborn from doing his work. First he gives him a knockout drink, and then he mixes things up; but Pangborn starts his work. Everything finally turns out well; the stocks soar sky high, Fields captures another bandit, and then he sells his story to the motion picture company. The family moves to a mansion.

Mahatma Kane Jeeves wrote the original screen play, and Edward Cline directed it. Shemp Howard, Russell Hicks, Pierre Watkin, and others are in the cast.

The drinking makes it unsuitable for children. Class B.

"Little Men" with Kay Francis, Jack Oakie, George Bancroft and Jimmy Lydon

(RKO, January 10; time, 83 min.)

In 1935 Nat Levine produced "Little Men," and it was fine entertainment. Despite changes in the story and the presence of Jack Oakie in the cast, Gene Towne has neither improved on the first picture nor has he made it as entertaining. Only in technical values is it at all superior. The present version is a fair human-interest picture of program grade; it leans strongly towards comedy. Adults may find it a trifle tiresome; and, although its appeal should be directed to the juvenile trade, it can hardly be recommended for them since two crooks are glorified. The only player given half a chance is Jack Oakie; he provokes laughter at each appearance. The action takes place in post Civil War Days:—

Kay Francis and her husband (Charles Esmond) run a combination school and boarding house where they try to give their pupils, in addition to their regular school work, a cultural training as well. George Bancroft, a swindler, is surprised when he receives a visit from an old friend (Jack Oakie), a bank robber; Oakie had been reported dead. Oakie brings him the news that another old friend, a crook, had died and had left his baby son to Bancroft. At first Bancroft does not want the child, but he relents, decides to keep him, and mends his ways. When the child (Jimmy Lydon) is twelve years old, he helps Bancroft sell fake medicine, knows how to play cards, and is tough. Bancroft, made to realize that the boy needed an education, puts him in Miss Francis' school. Esmond, believing Bancroft to be a financier, entrusts to him their savings of \$2500, hoping that he could double the money, thus enabling them to pay off the mortgage on their home. Bancroft, who had every intention of returning the money, deposits it in a bank; to his dismay the bank fails. Having read that Jimmy had been getting into fights at school defending his father, who had been called a thief, Bancroft forges a check and obtains \$2500. He returns to the school with the money. And Oakie makes a sacrifice—he insists that Miss Francis turn him in and collect the \$5,000 reward offered for his capture. The Constable, having traced them to the school, arrives to arrest them. But no one except Miss Francis knows the truth; in the eyes of Jimmy, Esmond, and the pupils, Bancroft and Oakie are heroes, and that is the way they leave, promising to return some day.

The plot was adapted from the novel by Louisa May Alcott; Mark Kelly and Arthur Caesar wrote the screen play, Norman Z. McLeod directed it, and Gene Towne and Graham Baker produced it. In the cast are Ann Gillis, Richard Nichols, Casey Johnson, Johnny Burke, and others.

Not for children. Class B.

"Murder Over New York" with Sidney Toler, Marjorie Weaver and Ricardo Cortez

(Twentieth Century-Fox, December 13; time, 85 min.)

A good program addition to the "Chan" murder-mystery melodrama series. The action, which combines comedy with thrills, is fast-moving, holding one's interest to the end, for it is not until then that the murderer's identity is disclosed. The closing scenes, which show the criminal trapped, are exciting:—

Sidney Toler (Charlie Chan) arrives in New York to attend the police convention, and meets an old friend, an Inspector from Scotland Yard, who tells him of a case he was working on; they plan to meet that evening at a dinner party, arranged at the home of Ricardo Cortez. When Toler arrives, Cortez takes him to the library, where the Inspector was working, and they are shocked to find him dead, a victim of poison gas. Toler questions all the guests and learns that Kane Richmond, one of the guests, ran an aeroplane factory, and that sabotage had been going on there. Marjorie Weaver, another guest, is questioned by Toler; he learns that she was the former wife of a man whose name the Inspector had mentioned, that she knew nothing of his present whereabouts, and that she was in love with another man (Robert Lowery), a research chemist. His investigations take him to Richmond's factory, where, with the help of Richmond and a few others, he finally traps the murderer. The reason for Miss Weaver's failure to recognize him as her long-missing husband was that he had had his face changed by plastic surgery. Toler's trapping this man was of importance, for the criminal was the brains of a gang of saboteurs.

Leslie Ziffren wrote the original screen play, Harry Lachman directed it, and Sol M. Wurtzel produced it. In the cast are Donald MacBride, Melville Cooper, Joan Valerie, Sen Yung, and others.

Not for children. Class B.

"Second Chorus" with Fred Astaire, Paulette Goddard, Burgess Meredith and Artie Shaw

(Paramount, January 3; time, 84 min.)

A pretty good comedy with music. Although the story is not novel, it is pleasant, the action alternating between music, comedy and romance. It should entertain particularly the swing music fans, since Artie Shaw and his band do most of the playing. Shaw himself is a good musician; he also acts with ease. In addition to Shaw's popularity, the other selling points are Fred Astaire's dancing, Paulette Goddard's popularity, and the comedy of Charles Butterworth and Burgess Meredith:—

Year after year, Astaire and Meredith manage to fail in their college examinations, for graduation would have meant the break-up of their successful college band. They both meet Miss Goddard and are attracted to her; they even forgive the fact that she had served Astaire with a summons on an old bill for books. They induce her to work for their band; she works hard and gets them good bookings. But disaster strikes: both Astaire and Meredith graduate; that meant the end of the band. Miss Goddard goes to New York to work for Shaw; she tries her best to get Astaire and Meredith on Shaw's band, but their jealousy of each other leads them to play pranks, with the result that neither one gets a job. In the meantime, Miss Goddard had induced Butterworth, a wealthy but eccentric follower of swing music, to sponsor a concert to be given by Shaw and his band. When Astaire and Meredith find Butterworth in Miss Goddard's apartment, they misunderstand the facts and frighten him away. Miss Goddard is furious. Realizing their mistake, they go to Butterworth and straighten things out. The concert proves a success, both boys are given places on the band, and Astaire and Miss Goddard confess their love for each other.

Frank Cavett wrote the story, and he, Elaine Ryan, and Ian Hunter, the screen play; H. C. Potter directed it, and Boris Morros produced it.

Suitability, Class A.

"Barnyard Follies" with Mary Lee and Rufe Davis

(Republic, December 6; time, 68 min.)

This program comedy with music should find a ready audience in small towns. For large cities, it will probably prove a fair filler for a double-feature program in neighborhood theatres. The few radio personalities who appear may help the picture along at the box-office. It has a few good tunes, comedy, and a little human interest. The story itself is thin:—

Pappy Cheshire, head of an orphanage, finds himself up against two hard-hearted members (Jed Prouty and Victor Kilian) of the Board of Directors, who objected to his having used \$5,000 of the orphanage funds to buy the children equipment for their farm project; they refuse to listen to Cheshire's pleas that the orphanage would be self-supporting by the end of the season. Prouty and Kilian did not want that to happen because they had been selling foodstuffs to the orphanage at an exorbitant profit, and wanted to continue doing so. They order Cheshire to replace the money in thirty days. Cheshire learns that his brother had died and had left his estate to him; but he finds that the estate was an insolvent night club. He tries to close it down, but the performers demand their salary under a contract. Cheshire orders them to his farm, where they would have to rehearse to collect their salaries. The children try to make things uncomfortable for them, but they stay on. The director of the group learns the truth and, feeling sorry for Cheshire and for the children, volunteers to put on a show to help them out. But Prouty and Kilian stop the show by bringing up old fire laws. Mary Lee, one of the orphans, sets fire to a haystack, thereby bringing fire trucks to the premises. Then Rufe Davis, a helper at the farm, breaks down a bridge, making it impossible for the trucks to return immediately. Mary convinces the fire chief that, since all the firemen and trucks were around, there could be no harm in giving the show. It goes over; Prouty and Kilian are exposed, and the children go on with their project.

Robert T. Shannon wrote the story, and Dorrell and Stuart McGowan, the screen play; Frank McDonald directed it, and Armand Schaefer produced it. In the cast are Ralph Bowman, June Storey, Joan Woodbury, "The Cackle Sisters," and others.

Suitability, Class A.

twelve or just like to be frightened and try very hard, "The Ape," now at the Rialto, will scare daylights out of you . . . most of the other actors (other than Karloff) cast dark looks about in the best 1912 style of acting . . ."

Exhibitors who cater to many sadistically inclined customers might show it profitably.

* * *

FROM HOLLYWOOD COMES WORD that Paramount is going to produce Owen Wister's, "The Virginian," with Joel McCrea.

This picture has already been produced three times: in 1915, by Famous Players-Lasky, with Dustin Farnum; in 1923, by Preferred, and in 1929, again by Paramount, with Gary Cooper. Although all three times the picture turned out good, none of the times did it make a great hit.

This paper believes that this story does not bear remaking the fourth time. If the Paramount executives think differently, it wishes them all the luck in the world.

In view of the fact, however, that the picture will be in the 1941-42 season's group, no exhibitor need worry about overpaying for it; by that time, Paramount pictures have to be tradeshow before a sale is made.

WHAT THE CONSENT DECREE PROVIDES—No. 6

(Continued from last week)

Additional Protective Provisions

"Many provisions of the consent decree," says Mr. Abram F. Myers, "are aimed at protecting existing rights or privileges of the consenting defendants."

Among these provisions are the following: The Decree covers only the continental United States; it does not infringe upon the producer's right to roadshow a picture; it does not affect franchises signed prior to June 6, 1940, except that franchises between one distributor and the affiliated theatres owned by another distributor are subject to the provision relating to clearance.

Commenting upon the provision relating to the arbitration of clearance disputes between a distributor and the affiliated theatres of another distributor (Article XVII), Mr. Myers says:

"The ambiguity in the draft of October 18 in reference to exemptions from the decree has been eliminated but the several provisions on the subject are confusing. To clear this up, all franchises signed prior to June 6 are exempted except that franchises between one distributor and the affiliated theatres of another are subject to the provision relating to clearance. All contracts and franchises between a distributor and its own affiliated theatres are exempted.

"The favoritism, preferences and discriminations which the Government alleged in its complaint are practiced by the Big Eight in favor of one another's theatres are embodied in these sacrosanct franchises. The Department of Justice will never be able to explain its action in immunizing these franchises under the decree."

Commenting on Article XVII, which provides for the retention by the distributors of certain licensing rights in theatres owned by producers, either wholly or in part, Mr. Myers, after attempting to elucidate the article, says:

"To recapitulate, immunity under the decree is given to all licenses by a distributor to a theatre in which it at the time of the decree and on the date of the license owns a financial interest regardless of the amount. Similar immunity is given licenses to after-acquired theatres provided the interest of the distributor therein is not less than 50%. And, finally, immunity is given licenses to after-acquired theatres operated by a subsidiary of a distributor provided that, at the date of the decree and of the license (a) the distributor has not less than a 42% interest in the theatre and (b) after the date of the decree and at the time of the license such subsidiary owns a 50% interest in such theatre. In a word, all licenses by a distributor with its existing affiliated theatres are exempted; with respect to after-acquired theatres, in order for their licenses to be exempt, the distributor must have a 50% interest in such theatre or a 42% interest in a subsidiary which itself has a 50% interest in the theatre.

"Bear in mind that this exemption applies only to licenses or franchises between one consenting distributor and its affiliated theatres; it does not apply to licenses or fran-

chises between such consenting distributor and the affiliated theatres of another consenting distributor.

"The apparent reason for these exemptions is the peculiar view taken by Government attorneys (peculiar in view of the charges of combination and conspiracy set forth in the bill of complaint) that a particular distributor may not only operate theatres for the exhibition of its own pictures, but may license such pictures to its own theatres on whatever terms it pleases.

"(f) Except as otherwise provided in the decree, nothing shall be construed to limit the right of any distributor to select its own customers, to bargain with them according to law and to license pictures on any terms it sees fit.

"(g) The provisions in reference to trade showings and group selling, in reference to licensing within the exchange district, and in reference to discriminating against independent exhibitors, shall have application only to features released in the United States after August 31, 1941."

PICTURES NOW IN PRODUCTION

Columbia

"THE DEVIL COMMANDS," with Boris Karloff and Amanda Duff. Program.

Metro-Goldwyn-Mayer

"FOUR CENTS A WORD," with John Shelton, Virginia Grey, Albert Dekker, Lloyd Nolan and Donald Meek. The cast is pretty good; it should make a good program feature.

Paramount

"BORDER VIGILANTES," with William Boyd. Western.

"LAS VEGAS NIGHTS," with Phil Regan, Bert Wheeler, Tommy Dorsey and his Orchestra and Constance Moore. Dorsey and his band are popular with the swing music fans. It should turn out a good program comedy with music.

Republic

"RIDIN' THE RAINBOW," with Gene Autry. Western.

RKO

"THEY MET IN ARGENTINA," with Jimmy Ellison and Maureen O'Hara; also the dancers Buddy Ebsen and Diosa Costello. There will probably be plentiful music and dancing in this picture. But the players are not strong enough to warrant it more than good program rating.

"PRODIGY" with Jean Hersholt, Fay Wray and Walter Woolf King. This may be another "Dr. Christian" story; but, since the story is not available, it cannot be so stated definitely. At any rate, program entertainment.

Twentieth Century-Fox

"SLEEPERS WEST," with Lloyd Nolan and Lynn Bari. Good program.

"TOBACCO ROAD," with Gene Tierney, Charley Grapewin and Marjorie Rambeau. In the August 31 issue of HARRISON'S REPORTS, under the heading "Darryl Zanuck Succumbs," a detailed account of this play and of its possibilities were given. Since no synopsis is available at this time, the writer does not know whether any changes have been made in the plot. At any rate, a major operation would have to be performed on the play to make it acceptable screen fare. And even then, it is hardly the type of entertainment present day motion picture goers crave, for the background is sordid.

"THE OUTLAW," with Walter Huston and Thomas Mitchell; a Howard Hughes production. No facts about the story are available; but Walter Huston is not a strong box-office attraction.

Warner-First National

"CASE OF THE BLACK PARROT," with William Lundigan. Program, probably mystery melodrama.

"STRAWBERRY BLONDE," with James Cagney, Olivia de Havilland, Alan Hale, and others. The Cagney pictures are invariably sure box office successes.

"FATHER AND SON," with Billy Dawson, John Litel, Frieda Inescort, and others. Program.

"HER GREAT LIE," with Bette Davis, George Brent, and Mary Astor. Probably very good.

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"AND A CHILD SHALL LEAD THEM"

On an October, 1927, night a group of eleven friends who had been meeting at stated intervals to enjoy one another's company, as well as to discuss matters affecting the interests of each one of them, decided to rent a room at the William Penn Hotel, Pittsburgh, where they might meet privately and thus enjoy one another's company still more.

Because of the fact that these men represented different branches of the industry, they gave to their club the name "Variety."

There was no intention on the part of any of them to make the organization permanent, and it might not have become a permanent organization, but for the following incident of fate:

On the Thanksgiving Day of 1928, one of the members found in the nursery of his Sheridan Theater a one-month old baby girl with the following note pinned to its clothes:

"I cannot afford to keep this child. Her name is Catherine. I have six others. She was born October 24th and I am leaving her in this theatre because of what I have heard of the charity of show people and with a prayer that you will care for her.

"A Heart Broken Mother."

The matter was taken up at the next meeting of the group and it was decided to place the child in a home where she would receive the best care possible, with all eleven sharing the responsibility of her life and education. They attached to her name Catherine the words "Variety Sheridan."

A change had come over this group of eleven fathers of Catherine; they had found a new interest in life.

When the fact became known in the industry locally, others wanted to "chip in" and help; they asked permission to join the Club.

Soon the room was found too small to accommodate the new as well as the old members, and larger quarters had to be rented until the Club, within three months, counted one hundred members.

The visit of these members to the institution to see their "daughter" brought to their attention the needs of other children, and the members of Variety Club decided to carry on a drive for more members, and for more funds, to aid them.

Thus was laid the foundation of the present thriving and influential social-charity organization known in the industry as Variety Clubs.

I don't know who the original eleven members are—I presume they have adopted the policy of not letting the left hand know what the right hand is doing; but I do know that John Harris has had a great share in the growth of the idea nationally. He is so enthusiastic about the charity work that can be done through these Clubs that he has inspired many others. One of these is Bob O'Donnell, of Dallas; under the leadership of Mr. O'Donnell, the Dallas "Tent" has grown so big that they have been able to donate a wing to one of the leading Dallas hospitals, and to maintain a camp for underprivileged boys, and Hope Cottage for convalescents. Last summer, in one of the parks, it opened a \$20,000 swimming pool for the children of the city. And it has pledged \$75,000 in various charitable works.

The Pittsburgh Tent has aided in hospitalization and has done great work among the city's underprivileged children. At the October convention in Pittsburgh the adoption of the sixth child was announced; it was named Joe E. Brown, in honor of the famous actor, a guest of the Club.

Then there are nineteen other Tents. I haven't the facts of their charitable work at my disposal, but I believe it is in keeping with the nature of the Variety Clubs' ideals.

Today this charitable organization includes the most prominent members of the motion picture industry, producers, distributors, and exhibitors. At the meeting of the

Philadelphia Tent last week there was a great gathering; it was a brilliant affair.

In addition to the philanthropic work the Variety Clubs are doing, they are giving a chance to people of the motion picture industry to become acquainted with one another more closely, and to relax. It offers them the opportunity to serve themselves while carrying on the greater work of serving those in need.

IS THE RENEWAL OF YOUR NEWSREEL CONTRACT AUTOMATIC?

If you are showing the newsreel of a company and for some reason or other you intend to cancel it so as to contract either for other shorts or for the newsreel of some other company, look into the contract to find out whether there is an automatic renewal clause or not; if there is, send your cancellation notice on time, for if you should happen to forget it you will be bound to your contract for one more year.

As a matter of fact, you should send your notice of cancellation now, informing the exchange to accept it as if sent in accordance with the terms of the contract. In this manner, you will not have to suffer in case you should forget to send the notice thirty, or sixty days (as the case may be) before the contract expires.

WHAT THE CONSENT DECREE PROVIDES—No. 7

(Continued from last week)

Arbitration Provisions

Article XXII provides for the "method and conditions of and the procedure for the arbitration of claims and controversies."

The arbitration system is to be "administered by an impartial Administrator"; and the American Arbitration Association is designated the impartial Administrator.

The Administrator is to establish and maintain an Arbitration Tribunal in each city in which at least three distributors maintain exchanges. Each Tribunal shall consist of a panel of not less than ten impartial arbitrators, a Clerk and suitable personnel, and shall have suitable offices. The Administrator may appoint and remove members of the panels and personnel. No person may serve as an arbitrator if he "has any financial interest in, or has had any connection with, the production, distribution or exhibition of motion pictures, or has had any interest in any motion picture theatre as landlord, lessor, or otherwise."

Criticism has been made of this provision, says Mr. Abram F. Myers, on the ground that, since they will have no background of experience in the motion picture business, the arbitrators will be bewildered by the complexities of the business. "This overlooks the fact that the American Arbitration Association has many experienced arbitrators located in all parts of the United States who are skilled in mastering the details of unfamiliar industries and in rendering just decisions.

"Aside from this, the use of impartial arbitrators is the only method by which controversies involving clearance, runs and discrimination can be adjusted without the embarrassing obstacles incident to balancing influence on the boards as between the distributors, the affiliated theatres and the independent exhibitors.

"However, independent exhibitors will have to be on their toes to see to it that the Administrator in appointing the Clerks to the local Arbitration Tribunals does not select persons who by reason of past association or character defects are likely to be influenced in favor of the affiliated interests and against the independents. These Clerks will

(Continued on last page)

"Trail of the Vigilantes" with Franchot Tone, Warren William and Peggy Moran

(Universal, December 13; time, 74 min.)

Good western entertainment. The plot is routine; yet the picture is above the average program western, because of good production values and competent performances, in addition to fast-moving action, comedy, and romance. The few fights should thrill the fans. There is an exciting chase in the end, and fast horseback riding throughout. The action takes place in the '80's:—

Franchot Tone, an undercover man, goes out to Peaceful Valley, a western town, to investigate the mysterious killing of a newspaper reporter. He finds the place in an uproar, caused by the shooting and fighting of two cowboys (Broderick Crawford and Andy Devine), out on a spree. They had handcuffed the Sheriff (Porter Hall) and his assistants. By a ruse, Tone obtains the handcuff keys and frees the officers; but Crawford starts fighting him. When the ranch employer (Charles Trowbridge) arrives with Warren William, president of the Cattlemen's Protective Association, Tone stands up for the two cowboys. For this, he wins their friendship. Crawford induces Trowbridge to employ Tone as a cowhand. Once at the ranch, Tone has trouble attending to his duties, and ridding himself of the attentions of the rancher's daughter (Peggy Moran). Tone suspects William of heading the rustlers' outfit that was raiding the ranches owned by men who refused to join his association. Crawford soon finds out about Tone's mission and promises to help him. William catches Tone trying to pry open his desk, and orders the Sheriff to arrest him. But Tone's pals break him free. Tone had in his possession a ledger proving that William was stealing from the ranchers; also a leaflet showing that William was wanted for murder. Tone knew that William had killed the reporter for knowing the facts. After a thrilling chase by Tone and the ranchers, William is captured. Realizing that he loved Miss Moran, Tone decides to stay out West.

Harold Shumate wrote the screen play, and Allan Dwan directed it. Mischa Auer, Samuel S. Hinds, Paul Fix and others are in the cast.

Suitability, Class A.

"Let's Make Music" with Bob Crosby and band, Jean Rogers and Elisabeth Risdon

(RKO, Jan. 17; time, 84 min.)

According to reports, Bob Crosby and his band are extremely popular with the followers of swing music. Well, all that popularity will be needed to put this picture across, for, aside from the music which, incidentally, is only fair, there is nothing much that the picture offers. The story is silly, slow-moving, and tiresome; and the best that can be said for Crosby is that he may be a good musician, but he certainly is no actor:—

Elisabeth Risdon, music teacher at a small-town high school, is discouraged because very few pupils show an interest in her music-appreciation course. The school principal suggests that, during her summer vacation, she should try to think of some novelty to arouse the pupils' interest. She writes a song for their band, but they turn it down. Jean Rogers, her niece, mails the song to a music publisher in New York. Crosby, a band leader, notices the song while at the publisher's office and decides to use it as a novelty number. Miss Risdon is thrilled at receiving a check and, despite Miss Rogers' protests, she insists on going to New York during her vacation; Miss Rogers accompanies her. Crosby signs her to a contract to appear with his band and to sing the song. It catches the public's fancy, and for a time money rolls in. Success goes to her head. The public, however, soon tires of the song, and she loses her fame. None of her new songs are any good. Crosby, noticing that she worked on another song, finishes and arranges it for her; he then plays it with his band and makes it a hit. She is grateful. Having had her fling, she goes back to school, where her pupils greet her with open arms. Miss Rogers marries Crosby.

Edward Dein wrote the story, and Nathanael West and Charles E. Roberts, the screen play; Leslie Goodwins directed it, and Howard Benedict produced it. In the cast are Joseph Buloff, Joyce Compton, Benny Rubin, and others.

Suitability, Class A.

"Ellery Queen, Master Detective" with Ralph Bellamy and Margaret Lindsay

(Columbia, Nov. 30; time, 68 min.)

This picture is not a particularly auspicious start for the new "Ellery Queen" series. It is just another program murder-mystery melodrama, developed according to formula, with few surprises. Nor is it outstanding either in production values or in the performances. But it stands a better chance at the box-office than the ordinary picture of this type, first, because of the popularity of the "Ellery Queen" novels, and, secondly, because of the radio program revolving around the character of "Ellery Queen." There is a hint of a romance:—

Ralph Bellamy (Ellery Queen), a private detective, who had overheard a conversation between his father, a police inspector, and Ann Shoemaker, relating to the disappearance of Miss Shoemaker's daughter, decides to surprise his father by working on the case himself. He does trace the daughter (Marsha Hunt) to the right apartment, but he sees the wrong girl. He insists that Margaret Lindsay, a writer, in whose apartment Miss Hunt was hiding, was the girl he had been after; he orders her to leave with him for her parents' home. She goes in order to protect Miss Hunt, who had left home because of her father's objections to her romance with Michael Whalen, a doctor, who worked at the health farm owned by her father. Miss Lindsay, still carrying on the hoax, enters the house, taking leave of Bellamy. She overhears a quarrel between Miss Hunt's father and his co-workers, for the father had been told by Whelan that he was dying from an incurable disease, and was determined to close down the farm and to change his will, leaving everything to his wife instead of to his co-workers. Once they depart, he locks the door, and Miss Lindsay has no way of leaving. She is so intrigued that she starts writing. On entering the father's room an hour later, she finds him dead. Bellamy, who had in the meantime found out about his mistake, rushes back to the farm, and helps Miss Lindsay to escape. He hides her in his own apartment, and starts working on the case. He finally proves that Whelan, who wanted possession of the business, was the villain. Miss Lindsay, who had grown fond of Bellamy, agrees to work as his secretary.

The story was written by "Ellery Queen," and the screen play by Eric Taylor. Kurt Neumann directed it, and Larry Darmour produced it. In the cast are James Burke, Charley Grapewin, Fred Niblo, and others.

Not for children. Class B.

"Go West" with the Marx Brothers, John Carroll and Diana Lewis

(MGM, Dec. 6; time, 80 min.)

Good! It is much better than their last two pictures, "Room Service" and "A Day at the Circus." It has several extremely comical situations, the customary clowning on the part of the stars, a few good musical numbers, and a romance. The last twenty minutes, during which the Marx Brothers take over and run a passenger train, should thrill as well as amuse spectators; the stunts in these scenes are very good. The background is the old West:—

The Marx Brothers go out West to make their fortune. In return for a loan of ten dollars to Tully Marshall, they are given a deed on some worthless property of his. But it develops that John Carroll, who was in love with Marshall's granddaughter (Diana Lewis), had induced the railroad company to buy the land for \$50,000 and run their new road through it. The Marx Brothers remember that they had signed an I.O.U. on the deed, which they had turned over to Robert Barrat, a crook, who wanted the railroad company to buy his property. They steal the deed, but Barrat, through a trick, gets it back. Again the Marx Brothers steal it, and leave by train for New York with Carroll to close the deal. But Barrat and Walter Woolf King, a crooked railroad official working with Barrat, attempt to stop them. They get into fights, and finally Barrat and King leave the train to continue the trip by horse and buggy; they knew that the train did not have enough fuel to keep going. But the Marx Brothers find a way: they break up the wooden cars, and use the wood as fuel. They reach New York, sell the land, and return to the West to attend the opening of the new railroad line.

Irving Brecher wrote the original screen play; Edward Buzzell directed it, and Jack Cummings produced it. In the cast are June MacCloy, George Lessey, and others.

Suitability, Class A.

**"Comrade X" with Clark Gable
and Hedy Lamarr**

(MGM, Dec. 13; time, 89 min.)

This satire on communism in general and on the present form of government in Soviet Russia in particular is good entertainment. But it is not a "Ninotchka," for it lacks the spontaneity of that picture, as well as the strong romantic interest. Some of the action is forced, particularly in the comedy sequences. At times, however, it is very good, for the dialogue and the performances given both by Clark Gable and Hedy Lamarr are excellent; Miss Lamarr is given a chance to act. The most exciting part is the closing scenes, where Gable and Miss Lamarr are shown escaping from Russia in an army tank, followed by other tanks, the drivers of which thought they were following their leader:—

Oscar Homolka, chief of the Soviet secret police, informs the foreign newspaper correspondents that, until the identity of the reporter, known only as "Comrade X," who had been sending out disparaging news reports about Russia, is discovered, all news reports would be censored by him. Felix Bressart, porter at the hotel where Gable, reporter for an American newspaper, was staying, discovers that Gable was "Comrade X"; he even finds out how he got his reports through. He threatens to expose him to the police unless he agreed to help him get his daughter (Miss Lamarr) out of the country. Bressart feared that, since Miss Lamarr was a true Communist with ideals, she would be executed, for she did not hesitate to voice her opinion. Gable meets Miss Lamarr and leads her to believe that he was a Communist; she marries him, her intention being to go to America with him to work for the party. After the marriage she learns that he had lied, and is determined to hand him over to the police. But before being able to do anything, both she and Gable, as well as Bressart, are arrested, for Gable used secretly a camera, and it had been found by the police in Bressart's room. The three are thrown in jail, there to await execution. Sending word to Homolka that he had taken the picture of the man who had tried to assassinate him, he is taken to the police chief, only to find that the would-be assassin himself was now the chief; Homolka had been liquidated. Gable finally outwits the police and the soldiers, and escapes with Miss Lamarr and Bressart. Miss Lamarr is cured of communism and becomes a typical American.

Walter Reisch wrote the story, and Ben Hecht and Charles Lederer, the screen play; King Vidor directed it, and Gottfried Reinhardt produced it. In the cast are Eve Arden, Sig Rumann, Natasha Lytess, Vladimir Sokoloff, and others.

The dialogue is risque at times; therefore unsuitable for children and adolescents. Class B.

"The Lone Wolf Keeps a Date" with Warren William, Frances Robinson and Eric Blore

(Columbia, Nov. 23; time, 65 min.)

"The Lone Wolf" series is continued in this brisk action melodrama-comedy, of program grade. The story is a little far-fetched, but since the direction and acting are both good it keeps one entertained. It should please particularly the action fans, for there is something doing every moment:—

Warren William, a reformed crook who had turned to stamp collecting as a hobby, is ready to leave Cuba, where he had gone to buy a rare stamp, with Eric Blore, his ever-faithful valet, who bemoaned the fact that their life was no longer exciting. As soon as William becomes acquainted with Frances Robinson, who was travelling on the same plane to the United States, things begin to happen. She tells him that her fiance (Bruce Bennett) was in prison, accused of a murder he had not committed; she had gone to Cuba to pick up a package that was in some way connected with the case. When she and William open the package they find \$100,000 in American money. William realizes that it was the ransom money that had been paid to gangsters for the release of a well-known person. William gets mixed up with the gang, the police, and the wife of the kidnap victim. After many thrilling experiences, he traps the gang and turns them, as well as the money, over to the police, who rescue the kidnapped man. William proves that Bennett was innocent.

Sidney Salkow and Earl Felton wrote the original screen play; Sidney Salkow directed it, and Irving Briskin produced it. In the cast are Thurston Hall, Jed Prouty, Fred Kelsey, Don Beddoe, and others.

Not for children. Class B.

**"Jennie" with Virginia Gilmore
and William Henry**

(20th Century-Fox, Dec. 20; time, 77 min.)

A simple little family picture, best suited for a double-feature program. The most attractive thing about it is the engaging performance given by Virginia Gilmore; but that won't prove of much help to the box-office, since she is unknown to motion-picture goers. The story, although not novel, has human appeal. A drawback, however, is the fact that the action takes place in the "old days," and so the costumes are old-fashioned:—

Miss Gilmore marries William Henry, one of the sons of a family ruled strictly by their father (Ludwig Stossel). Since Henry worked for his father in his shoe store for just his room and board, he could not take a house for his wife and himself; instead, following his father's orders, he takes his bride into the big house to live with the family. Miss Gilmore, annoyed at the way everyone in the family submitted to the iron rule of the father, tries to bring about a change; but she is promptly put in her place by Stossel. Discovering that Stossel would love to have a grandchild, she pretends that she was going to have a baby; in that way she obtains a salary for Henry. But things come to an end when Miss Gilmore stands up for one of the daughters, who had fallen in love and had eloped, only to return a month later sick and unhappy, her husband having deserted her. Miss Gilmore and Henry leave the house, taking with them the daughter. Henry leaves his father's employ. Things are pretty difficult, for Henry could not find a job. But Miss Gilmore had other plans; the other children leave home and live with her, thereby contributing to the upkeep of the house. But one night they receive word that their father was dying from a heart attack, and they rush home. Miss Gilmore discovers that Stossel was faking just to get sympathy. By threatening to expose him to his family, she wins all the concessions she wanted for herself, her husband, and the other children.

Jane Eberle wrote the story, and Harold Buchman and Maurice Rapf, the screen play; David Burton directed it, and Sol M. Wurtzel produced it. In the cast are George Montgomery, Dorris Bowdon, Rand Brooks, Joan Valerie, and others.

Suitability, Class A.

"Dark Streets of Cairo" with Sigrid Gurie, Katherine DeMille and Ralph Byrd

(Universal, Feb. 14; time, 59 min.)

A fair program melodrama, best suited for those who enjoy action pictures revolving around crooks. The story is a little too far-fetched for intelligent audiences. It has some mild comedy bits, and a routine romance:—

Wright Kramer, head of an American archaeological expedition at Cairo, Egypt, prepares to leave for America with the famous "Seven Jewels" he had excavated from a tomb. With him are to go his assistant (Ralph Byrd) and his photographer (Eddie Quillan). A band of native crooks, led by George Zucco, plan to steal the jewels. Zucco telephones Lloyd Corrigan, a Swedish gem collector, that he could sell him the jewels, assuring Corrigan that he had bought them. Corrigan arrives in Cairo with his niece (Sigrid Gurie) to meet Zucco. Miss Gurie and Byrd meet. When she mentions the fact that her uncle intended buying the jewels, Byrd, saying nothing, returns to the hotel in a rush, and there he finds Kramer murdered and the jewels gone. Accompanied by Rod LaRocque, police inspector, he goes to the hotel where Miss Gurie and her uncle were staying; but they had disappeared. Working with LaRocque and Quillan, Byrd finally traces them to Zucco's shop, where they were held prisoners in a room that had to be entered by a secret passage. He is helped by Zucco's wife (Katherine DeMille), who was secretly in love with LaRocque. Eventually the gang is overpowered, the jewels recovered, and Miss Gurie and her uncle rescued; Zucco is killed while trying to escape. Miss Gurie and Byrd marry, as do Miss DeMille and LaRocque.

Alex Gottlieb wrote the original screen play, Leslie Kardos directed it, and Joseph G. Sanford produced it. Yolande Mollot, Siegfried Arno, and others are in the cast.

Not for children. Class B.

"Murder Over New York"

(Twentieth Century-Fox, Dec. 13; time, 65 min.)

In the review of this picture, which appeared in the December 14 issue, the running time was given as 85 minutes. The correct time is 65 minutes.

be in a position to influence the arbitrators and should be as impartial as the arbitrators, although this is not specified in the decree."

The cost of the maintenance and operation of the arbitration system is to be budgeted by a committee of three, to be appointed, one by the Administrator, one by the distributors and one by the Chairman of the Appeal Board. This cost, except the fees of the arbitrators and the stenographic costs, shall be met by the filing fees provided for in the Rules, by the penalties imposed on distributors in accordance with sections IV and V of the decree, and such additional amounts as may be necessary to be paid by the distributors.

The arbitration proceedings are to be conducted in accordance with the "Rules of Arbitration and Appeals," which are expressly approved in the decree. The Rules provide also that claims and controversies may be arbitrated between distributors and exhibitors even though no specific provision is made in the decree for arbitrating such claims or controversies. This provision would apply to controversies such as those arising out of exhibition contracts. The only requirement is that the parties involved sign a written consent to arbitrate their dispute.

Provision is made also for an Appeal Board to hear and determine appeals from awards made by the Arbitration Tribunals. This Board is to consist of three members, to be appointed by the Court, "each of whom shall be a person of known impartiality and distinction." One member is to be designated by the Court as Chairman. The Appeal Board is to have its offices in New York City.

Any person having the right to institute arbitration proceedings may do so by filing with the Clerk a submission in form prescribed by the Administrator, which shall provide that he will abide by and comply fully with any award that may be made. Similarly, any party intervening in an arbitration proceeding must file such a submission. Mr. Myers, commenting on this requirement, says: "The consenting distributors are bound by the decree and this provision is necessary to insure that others do not run out of the arbitration as soon as an award is made against them."

Representatives of the Department of Justice are given access to all books, ledgers, accounts, correspondence and other records in the possession of the Appeal Board, of the Arbitration Tribunal and of the Administrator, which relate to the arbitration system and to the arbitration of claims and controversies under the decree.

HERE AND THERE

SOME EXHIBITORS HAVE EXPRESSED the fear that, when the Consent Decree goes into effect, there will be a shortage of product.

I have no way of knowing whether they really believed in their assertion or they merely propounded it in an effort to induce the Court to disapprove the Decree.

Let us, however, assume that they believed in what they preached. Why should there be a shortage of product? It will cost as much to run the studios, and unless the producers spread the overhead over a greater number of pictures they will have a tough time showing the operation of them profitable.

Again, the consenting companies own theatres which must be supplied with film. Until such time as a greater number of money-making pictures is produced, causing an automatic reduction in the number of pictures of the program grade, which mean nothing to the box office, these theatres will require as much film as before.

Production of a greater number of money-making pictures can, however, happen only under a system that compels the producer to show the exhibitor his pictures before a purchase deal is consummated, for the exhibitor will then be in a position to reject the inferior pictures—something he is unable to do now; and when too many such pictures are rejected the producers will cease making pictures that cannot sell, making, instead, pictures that have a ready sale.

But reducing the number of pictures as a result of the greater number of box-office winners will not create a shortage of product; the good pictures will naturally be given longer playing time. In this manner, the play-dates vacated by the dropping of program pictures will be taken care of.

Those exhibitors who believe that, under the Decree, there will be a shortage of product may call this merely a theory. But the fear of a product shortage is founded on nothing more than a theory of theirs. The only thing that

we may call sure is the improvement that will be effected in the quality of the product as a result of the obligation of the producers to tradeshow their pictures before offering them to the exhibitors for sale. Who can deny that such a system will fail to effect an improvement?

* * * *

FRED H. STROM, Executive Secretary of Allied Theatre Owners of the Northwest, has just sent to the members a bulletin giving information on the Consent Decree. It is the belief of this paper that that information alone should be worth to any exhibitor a life membership in that organization.

And this is only one sample of what a member gets for the dues he pays to that organization.

I have known other secretaries, such as Pete J. Wood, of Columbus, Ohio, for example, and Fred J. Herrington, of Pittsburgh, Arthur Howard, of Boston,—just to mention three of the many, who have saved the exhibitors fortunes by preventing adverse legislation, not to mention anything of the adjustments they have effected in disputes between exhibitors and distributors. One may say that the secretaries of the exhibitor organizations are heroes unsung. The greatest pleasure they get is when they have one hundred per cent membership.

* * * *

NOW AND THEN THE COPY of an issue is either lost in the mails or lost around the office and the subscriber does not discover the loss until he needs the information contained in that particular issue.

Instead of taking a chance of finding a copy missing when you needed it, you should look into your files now, ordering the missing copy, if you should find that one is missing. A sufficient number of copies for each issue is kept on hand to accommodate subscribers in such circumstances.

PICTURES IN PRODUCTION

Columbia

"RETURN OF BOSTON BLACKIE," with Chester Morris, Rochelle Hudson and Constance Worth. The players do not warrant more than a program rating.

Metro-Goldwyn-Mayer

"FOOLS RUSH IN," appraised in last week's issue as "Four Cents a Word."

Republic

"ARKANSAW JUDGE," with the Weaver Brothers and Elvira, Roy Rogers, and Loretta Weaver. Program comedy, probably with some music.

RKO

"SCATTERGOOD BAINES," with Guy Kibbee, Dink Trout, Carol Hughes, and Emma Dunn, adapted from the Saturday Evening Post story by Clarence Budington Kelland. This should make a pleasant program picture.

Twentieth Century-Fox

"UNCENSORED," with Nancy Kelly, John Loder, Edmund Gwenn, and Henry Wilcoxon. With the players listed this should make a good program picture.

Universal

"THE MYSTERIOUS DR. R," with Lionel Atwill, Lon Chaney, Jr., Frank Albertson, and Anne Nagel. The title indicates that this should make a melodrama of the "chiller" type. It should turn out pretty good.

Warner-First National

"THE SEA WOLF," with Edward G. Robinson, John Garfield, Ida Lupino, Gene Lockhart, Alan Hale and others, produced by Henry Blanke and directed by Michael Curtiz. In spite of the fact that cast, producer and director are very good, this paper doubts the wisdom of remaking this Jack London story, for it has already been produced four times (in 1913, by Hobart Bosworth Productions, in 1920 by Paramount, in 1926 by P. D. C., and in 1930, by Fox), and the only time that it made a hit was in 1913. With the advance in production technique, the Warners may make a good picture. How much it will, however, draw remains to be seen.



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HERE AND THERE

IN CONSEQUENCE OF THE REMARKS on organization, made in the November 30 issue of HARRISON'S REPORTS, Mr. A. Charles Hayman, president of Motion Picture Theatre Owners of New York State, at Buffalo, writes:

"I liked your editorial on the independent exhibitor joining the organization.... I think the point should be stressed very strongly."

There should be no necessity of stressing "the point" about an exhibitor's joining his local organization, thus uniting with others in the protection of the common interests; each exhibitor should join his local organization without further urging. After all, who is hurt when adverse legislation is enacted in his state, or in his city; and who will be hurt if the provisions of the decree are interpreted to his disadvantage?

And yet I have seen many an exhibitor who suffered great losses for not being a member of his local organization. Some of them rushed to the secretary the last minute yelling for help. In some cases the benefiting exhibitors even forgot afterwards the help they had received, failing, either to pay their dues, or to join. That is ingratitude, which almost invariably proves costly in the end.

Today, more than ever, does an exhibitor need a strong, militant regional organization, and the only way he can have it is to pay his dues promptly and cooperate with its leadership.

One indication of the need for such an organization is the recent Bulletin issued by Pete Wood, Secretary of the Independent Theatre Owners of Ohio. This bulletin contains invaluable information for exhibitors, relating to the Federal Admissions Tax, the prices of advertising accessories, and the replacement of employees called to military service under the national defense program. It even gives a suggested application form, which, if signed by an employee hired to replace the man who had left to serve his country, will leave no doubt as to the temporary nature of the employment, and will save the theatre owner from embarrassment and annoyance later on.

Another reason for maintaining such an organization is the fact that the Department of Justice will keep close observation on the workings of the Consent Decree. Robert L. Wright, who was active in the formulation of the Decree, has been placed in charge of this work. The Department will thus be able to determine whether the distributors are carrying out the spirit, as well as the letter, of the Decree, or not, and they will be able to decide what modifications of its provisions, if any, experience proves to be necessary.

But the government's supervision will be futile unless the exhibitors are alert in reporting violations, in calling attention to injustices, and in formulating sound suggestions for relief. The exhibitor's efforts, if he should work alone, will be ineffective; combined with the efforts of all the members of an exhibitor organization, and correlated by able leaders and counsel, these same efforts can become most effective in achieving their objective.

Abram F. Myers, general counsel of Allied, in a recent speech at Indianapolis, summed up the situation very well, when he said:

"What does the decree mean from the standpoint of organization? First, it casts new responsibilities and new burdens on the regional exhibitor associations. There is no place under the decree for the lone wolf. An exhibitor who wishes to avail himself of whatever benefit there may be in the decree will have to work through a strong, well-managed local association manned and equipped to represent him and to protect his interests. He will need the advice and assistance of organization leaders and attorneys

in preparing and presenting his case. He will need the testimony and support of fellow-exhibitors. Also, new obligations and new tasks will be saddled on the national association. The distributors have the Hays Association to keep in touch with the Department of Justice, the American Arbitration Association and the Appeal Board and to inform them of the latest developments and rulings. In the arbitrations it will be as necessary to keep abreast of trends in the rulings as in court cases. The independent exhibitors will have National Allied to perform a like service for them."

* * *

THE HEARST NEWSPAPERS are carrying on a campaign against the cruelty to animals resorted to in some of the action pictures that are produced in the wide open spaces of the west.

Collier's Weekly took up the fight by endorsing the Hearst campaign. Part of its editorial reads: "There is a streak of degeneracy in anybody who will abuse any poor, dumb animal in any manner. There is a streak of the unprintable in anybody who will abuse an animal for profit.

"If California and its S. P. C. A. won't or can't stop this stuff, the movie-going public can. A nation-wide boycott movement against films commercializing cruelty to animals could be swiftly organized; it would choke this barbarism to death in about one month flat."

The "In The News" column of the *New York Journal and American* said partly the following in the December 12 issue:

"The picture producers who make Westerns can save the public a lot of trouble, and themselves a lot of grief, by beginning right now to plan ways to get thrills of emotion, and beauty and drama into their pictures instead of the sadistic thrill of cruelty."

The accusation that some producers are resorting to cruelty to animals in some of the outdoor pictures is not a hysterical outburst of the Hearst papers; unfortunately it is a true accusation. In a number of westerns released recently I have seen horses made either to stumble while they run or roll down-hill, and if this abuse should continue, the producers will no longer be able to give the representatives of S. P. C. A. the run-around, as they have been accused of having done all along.

The producers who are guilty of this abuse had better stop it before they are made to stop it by an outraged public. The producers who are innocent, as well as all the exhibitors, should object directly to any producer whose pictures show any indication of cruelty to animals. Pressure of this kind may awaken the guilty producer to the fact that he must mend his ways before the entire industry suffers a financial loss from an organized boycott by the public.

* * *

SENSATIONAL HEADLINES, such as "Legion Alarmed at Increase in Objectionable Motion Pictures," "Renew Annual Promise Next Sunday to Fight Movie Filth," "21,000,000 Pledge Decency Crusade," "Continue Vigilance, Bishop Alter Urges," fill the front page of the December 6 issue of *Catholic Chronicle*, the organ of the Toledo, Ohio, Diocese; and in the text there are given details of the fight against what are branded in that paper as objectional pictures.

Since the names of such pictures are not given it is difficult for this paper to say whether the objection of the editors of that paper and of those who are quoted in it are in all cases justified. HARRISON'S REPORTS, however, desires to call their attention to the fact that a large number of prominent Catholics, including members of the Hierarchy, fought the only method by which the indecent pictures could be driven off the screen—the Neely Bill; it would

(Continued on last page)

"South of Suez" with George Brent, Brenda Marshall and George Tobias

(Warner Bros., November 16; time, 84 min.)

Just a fair melodrama. Although the performances are competent, the story is weak; it lacks dramatic power and credibility. Moreover, it is only towards the end, where the hero is shown in danger of being convicted for murder, although he was innocent, that the spectator is really held in suspense. There is some mild comedy to relieve the tension; also a fairly pleasant romance:—

When George Brent, foreman at the diamond mine owned by George Tobias, refuses to have an affair with Tobias' wife (Lee Patrick), she is so angered that she makes her husband believe that Brent had tried to force his attentions on her. Compelled to resign, Brent goes to work for Miles Mander, a broken-down Englishman, owner of a rival mine. Tobias is enraged when Brent stops Mander from selling his mine to him. Mander is overjoyed when they find a valuable diamond, for thus he would have enough money to go to his daughter (Brenda Marshall). While Brent was away, arranging for the sale of the diamond, Tobias sneaks into Mander's room and starts searching for the diamond; when Mander appears, he kills him. All this is witnessed by Miss Patrick, who had been hiding there waiting to see Brent. Tobias, enraged because he could not find the diamond, leads everyone to believe that Brent had stolen it and had killed Mander. Brent has to run away. Tobias takes over the mine and becomes wealthy, eventually going to England to live. Brent, too, had fared well. A few years later he arrives in England under an assumed name; his purpose was to reach Miss Marshall and turn over to her her father's share of the profits. He finds her; they fall in love with each other. Brent hadn't the heart to tell her who he was, because of the hate she felt for the man she believed had killed her father. Tobias finds Brent and accuses him of having stolen the diamond, and of having killed Mander. Brent is arrested and tried. At the trial, Miss Patrick breaks down and confesses; Tobias shoots and kills her in court. With his name cleared, Brent is free to marry Miss Marshall.

Sheridan Gibney wrote the story, and Barry Trivers, the screen play; Lewis Seiler directed it, and William Jacobs produced it. In the cast are James Stephenson, Eric Blore.

Not for children. Class B.

"Michael Shayne, Private Detective" with Lloyd Nolan and Marjorie Weaver

(20th Century-Fox, January 10; time, 76 min.)

Good program entertainment. It's a murder-mystery melodrama, with plentiful comedy. Although the story itself is not unusual, it holds one's attention well and is consistently entertaining because of good direction, occasional comical dialogue as well as comedy situations, and of capable performances. Moreover, the action is fast-moving; and since the murderer's identity is not divulged until the end one is kept engrossed in the proceedings:—

Lloyd Nolan, a private detective, is engaged by a wealthy sportsman to look after his daughter (Marjorie Weaver), while he was away on a business trip. After escorting her home from a gambling establishment owned by Douglas Dumbrille, Nolan locks her in her room; but she gets out and goes back to Dumbrille's place. Nolan follows her there again, and decides to teach her a lesson. He gives George Meeker, a racketeer who had many enemies, a knockout drink and carries him to Miss Weaver's car, which he drives to a secluded spot. He then dots his shirt with catsup and telephones Donald MacBride, the police inspector, about seeing a body in the car. He goes back to the gambling house and asks Miss Weaver to leave with him in his car, saying that her car had been stolen. He drives to the spot where he had parked her car, which he pretends to notice suddenly. When they reach the car, they find, to their horror, that Meeker had actually been shot and killed. He sends Miss Weaver home in her car, but his car stalls; when the police arrive and find him there, they take him to headquarters. Nolan manages to get out, promising the inspector to call any time he wanted him. In company with Miss Weaver's aunt (Elizabeth Risdon), who imagined herself to be a detective, Nolan starts investigating the matter. Both Miss Weaver and Miss Risdon get in his way at times, but eventually he solves the case. But before he does so both his life and that of Miss Weaver are endangered. By clever planning he gets MacBride and several suspects together, finally forcing the guilty man to confess.

Brett Halliday wrote the story, and Stanley Rauh and Manning O'Connor, the screen play; Eugene Forde directed it, and Sol M. Wurtzel produced it. In the cast are Walter Abel, Joan Valerie, and others.

Not for children. Class B.

"Chad Hanna" with Henry Fonda, Dorothy Lamour and Linda Darnell

(20th Century-Fox, December 27; time, 87 min.)

Despite the technicolor photography and the star players, this picture fails to make much of an impression because it lacks a gripping story. Even the technicolor is bad, especially in the medium and long shots—they are blurred; at times the players' faces look too coppery. A few of the situations start off in a promising way, leading one to expect something exciting to happen; but they all "fizzle" out. Not a single character is outstanding; the hero strikes one as being rather stupid, and the character portrayed by Dorothy Lamour is weak. As entertainment, it is just a mild circus-life picture, that lacks glamour and thrills. Another bad feature is the title; it is meaningless. One bedroom scene is pretty suggestive; and a few times Miss Lamour appears attired scantily. The action takes place in 1841:—

Miss Lamour, bareback rider and star of a mediocre circus show, arrives in advance of the other performers. Fonda, a menial worker at the inn, is thrilled at her beauty and is determined to see the show, even though he had no money. He agrees to help Olin Howland, a slave hunter, track down a run-away slave for a five dollar fee. He calls at Howland's home during his absence and induces his daughter (Linda Darnell) to give him the \$5 in return for information as to the slave's whereabouts. But he rushes there first, and helps the slave to escape by giving \$3.50 to a man to drive the slave across the border. He then goes to the circus. When Howland finds out about the trick, he is determined to get Fonda. But Fonda hides in one of the circus wagons, as does Miss Darnell, whose father had threatened to kill her unless she got back the \$5. Fonda and Miss Darnell become part of the circus. When Miss Lamour leaves, Miss Darnell takes her place. But her father tracks her down and accuses her of being indecent. Fonda protects her by asserting that they were married; when the father leaves he actually proposes and they are married. But Fonda cannot forget Miss Lamour. When Kibbee blames him for the bad business they were having, Fonda leaves, without taking his wife along. He seeks out Miss Lamour; but she makes him realize he loved his wife. He returns to the circus with a novelty—an elephant and his trainer. This saves the circus from failure. Miss Darnell is happy at his return and he is proud to learn that he would soon be a father.

The plot was adapted from the story "Red Wheels Rolling," by Walter D. Edmonds. Nunnally Johnson wrote the screen play and produced it; Henry King directed it.

The bedroom scene makes it unsuitable for children and adolescents. Class B.

"Four Mothers" with Priscilla, Rosemary and Lola Lane and May Robson

(Warner Bros., January 4; time, 86 min.)

Exhibitors who played "Four Daughters" and "Four Wives" with satisfactory results might do well also with "Four Mothers." The series is, of course, beginning to wear a bit thin—the characters, their actions, and even the settings are the same, and so there are few surprises in store for one; for that reason the picture lacks excitement. It has human interest, however, and the characters are likeable:—

Frank McHugh and his wife (Lola Lane), return from Florida, supposedly millionaires; every one in town welcomes them back, for, following the advice of Claude Rains, they had invested money in his real estate company. But their joy turns to sorrow when they learn that a hurricane had wiped out all the company's holdings. Rains, disgusted at the way his neighbors had turned on them, is determined to pay back what they had invested—\$15,000. He does not want his daughters or their husbands to sacrifice anything for him; he is made unhappy when they attempt to give up their own work to earn enough money to repay the investors. And so, against the will of his children, he sells his home, and with the proceeds pays back the investors; he then moves to a small apartment in the city with his sister (May Robson). Priscilla's husband (Jeffrey Lynn) and her sister (Rosemary) were in Chicago doing work they did not like; Eddie Albert, Rosemary's husband, was unhappy because of the separation; Priscilla feared that the family was breaking up. But suddenly Rains is honored by being chosen the conductor of an important music festival, and all are brought together again. In the meantime, McHugh had met with success in a new development in their own home town. After the concert, the children insist that Rains accompany them back home. To his joy, he finds that they had bought and transplanted his home to the new development, which meant they would all be together again.

Stephen M. Avery wrote the screen play, William Keighley directed it, and Henry Blanke produced it. Gale Page, Dick Foran, and others are in the cast. Class A.

"Victory" with Fredric March, Betty Field and Sir Cedric Hardwicke

(Paramount, January 17; time, 78 min.)

A strong but sordid drama, suitable only for adults. The direction is skillful, the acting realistic, and the production values good; but the story is somewhat brutal. Although it ends satisfactorily, up until the end both the hero and the heroine go through such unpleasant experiences that it leaves one with a dismal feeling, particularly since the heroine, a young sensitive person, had to kill a man to insure the safety of herself and of the hero. This story was produced in 1919, under the original title, and in 1930, under the title "Dangerous Paradise;" neither picture was an outstanding success:—

Fredric March, who, except for a native servant, lived alone on the island of Samburan, goes to Sourabaya, on the island of Java, to settle the affairs of his defunct coal company. Although he had been branded a crook, he refuses to let it be known that his partner, who had since died, had fled with all the company's assets; he kept quiet out of respect for the dead man's family. Before sailing back to his island, he spends the evening at the hotel listening to the all-girl orchestra. Noticing the vicious treatment given the young pianist (Betty Field) by the manager (Rafaela Ottiano), he offers his help. She informs him that Miss Ottiano was trying to force her to become friendly with the hotel owner (Sig Rumann), whom she despised. Later that evening Miss Field learns that Miss Ottiano had sold her contract to Rumann; she is desperate and appeals to March for help. He sneaks her baggage out of the hotel, and takes her to his island. She is gloriously happy, and falls deeply in love with him. Rumann is furious when he learns what had happened. When three sinister-looking men (Hardwicke, Lester Cowan and Lionel Royce) register at his hotel, he leads them to believe that March had hidden on the island a fortune. Cowan induces Hardwicke to sail for the island, without telling him about the girl, for he knew that he would go to no place where a woman was involved. When they arrive at the island, March feels that something was wrong and warns Miss Field to hide. But Cowan finds her and threatens harm to March if she were to say anything. She pretends to be interested in him. While March was out one night talking to Hardwicke, Cowan enters. March returns with Hardwicke in time to see Miss Field stab Cowan to death. His servant had killed Royce; and in a gun fight with Hardwicke, March finally kills him. He and Miss Field clasp each other, happy in their love and in their release from evil forces.

The plot was adapted from the Joseph Conrad story; John L. Balderston wrote the screen play; John Cromwell directed it, and Anthony Veiller produced it. In the cast are Margaret Wycherly, Fritz Feld, and others.

Not for children or adolescents. Class B.

"No, No, Nanette" with Anna Neagle, Richard Carlson, Victor Mature and Roland Young

(RKO, December 20; time, 96 min.)

Just a fairly entertaining comedy with music. The production is lavish, but the story is thin, and the comedy is forced. Whatever entertainment value the picture has is owed to the performances by the capable cast, who, by their talents, are able to overcome some of the trite situations and dialogue:—

Roland Young, a middle-aged millionaire, whose wife (Helen Broderick) controlled his fortune and permitted him just a small allowance, finds himself in a predicament—a young lady (Tamara) he had once helped to become a dancer threatened to make trouble for him unless he got her a position in a Broadway show. Anna Neagle, Young's niece, tells him to leave everything in her hands. She not only manages to get Tamara set in a musical show, but takes care also of three other young ladies her uncle had once befriended and who were now demanding money. In the course of her efforts to clear matters up, she becomes acquainted with Victor Mature, the producer of the show, and Richard Carlson, a painter. She and Carlson fall in love with each other. Carlson misunderstands when Miss Neagle sells the painting he had made of her; he did not know she needed the money to settle her uncle's affairs. Everything is finally explained; Miss Broderick learns the truth and decides to get a divorce. But she relents at the last minute. And Miss Neagle and Carlson are married.

Ken Englund based his screen play on the musical comedy by Frank Mandel, Otto Harbach, Vincent Youmans, and Emil Nyitray. Herbert Wilcox directed and produced it. Zasu Pitts, Eve Arden, Billy Gilbert and Stuart Robertson are in the cast.

Suitability, Class A.

"Love Thy Neighbor" with Jack Benny, Fred Allen and Mary Martin

(Paramount, December 27; time, 81 min.)

Considering the advance publicity that this picture has received and the popularity of both Jack Benny and Fred Allen, it should do excellent business at the box-office. The story is lightweight, concentrating mostly on the supposed feud between Benny and Allen, which is familiar to their radio listeners; the constant harping on this feud occasionally becomes a bit tiresome. But the masses should find the picture entertaining—the production is lavish, the music is good, and there is plentiful comedy, in addition to a pleasant romance:—

Allen and Benny, both well known radio comics, dislike each other intensely and even carry on their feud over the air by insulting each other. Benny accidentally meets Mary Martin, Allen's niece, and falls in love with her. She assumes another name, poses as a show girl, and obtains a position in a musical show that Benny was producing. Hoping that she might be able to bring about a reconciliation between the two men, she accepts Benny's attentions, without telling him who she was. Since the show was scheduled to open in Florida, Miss Martin arranges to go there with her aunt (Verree Teasdale), without telling Allen why they were going. In the meantime, Allen, feeling that he would have a nervous breakdown if he didn't get away from the city in which Benny lived, decides to accompany the ladies to Florida. He finds, to his horror, that Benny not only intended to open his show there, but also that he lived at the same hotel, on the same floor, in the suite next to his. The feud comes to a head when Allen finds out that Benny was fond of Miss Martin. And Benny is furious when he learns that Miss Martin had been fooling him all along. But the lovers patch up their quarrel and, despite Allen's objections, they finally marry.

William Morrow, Edmund Beloin, Ernest Pagano, and Z. Myers wrote the original screen play; Mark Sandrich directed and produced it. In the cast are Eddie Anderson (Rochester), Virginia Dale, Theresa Harris, Richard Denning, Jack Carson, and others. Suitability, Class A.

"Santa Fe Trail" with Errol Flynn and Olivia deHavilland

(First National, December 28; time, 109 min.)

Very good! It is a rousing melodrama of pre-Civil War days, with most of the action centering around the activities of the abolitionist John Brown, who took it upon himself, by bloody crusades, to wipe out slavery in America. Raymond Massey, in the role of Brown, gives a powerful performance; although his fanaticism was the cause for much bloodshed, one feels pity for him, knowing that he was motivated by an ideal. There is plentiful thrilling action, during which one is held in tense suspense. The tension is relieved by the good comedy work of Alan Hale and Guinn Williams; also by a pleasant romance:—

At West Point, in the year 1854, a few cadets form a strong friendship. One of the men, Jeb Stuart (Errol Flynn), is constantly taunted by Rader (Van Heflin), a John Brown disciple. One day the argument comes to a head, and both men fight. Rader, discharged dishonorably, joins Brown and his band. Upon graduation, Stuart and his friends are sent to "bloody" Kansas; they are pleased for it meant plentiful action and thrills. Both Stuart and his friend Custer (Ronald Reagan) fall in love with Bob Halliday's (William Lundigan's) sister Kit (Olivia deHavilland). She finally admits her love for Stuart. Stuart and Custer, while acting as military convoy for a freight shipment, finally meet Brown, who, posing as John Smith, intercepts the shipment and asks for delivery of a consignment of bibles. One of the boxes falls to the ground and breaks open, revealing that its contents were rifles and not bibles. A battle ensues, with Stuart and Custer the victors. Stuart, in plain clothes, goes to town in an effort to get information as to Brown's plans; he is accompanied by Tex Bell (Alan Hale) and Barefoot (Guinn Williams), two guides. But he is captured by Rader and taken to Brown's hiding place. Custer and his soldiers rescue him. Rader, enraged because Brown would not pay him the salary he had promised, turns on him and gives Stuart information to the effect that Brown was planning to capture the U. S. Arsenal at Harper's Ferry. The soldiers leave for that place; a terrific battle ensues. Brown is taken prisoner, tried, and hanged. But the thing he had been fighting for begins to take root, for even army men showed signs of sympathy for him. Stuart marries Kit.

Robert Buckner wrote the original screen play, Michael Curtiz directed it, and Robert Fellows was associate producer. In the cast are Gene Reynolds, Henry O'Neill, Alan Baxter, John Litel, Moroni Olsen, and others. Class A.

have made the local exhibitor responsible for the type of pictures he showed. They fought it on the ground that it was censorship and government control.

Those of us who fought for the Neely Bill could not, of course, see any censorship features in it, for there are none; but the opposition was too strong for us to overcome.

* * *

"COPYRIGHT VIOLATIONS Not Affected by Decree" is the heading of a statement issued by Copyright Protection Bureau.

HARRISON'S REPORTS was under the impression that bicycling of film was no longer resorted to, and that, because of the absence of this practice, the necessity for issuing such a statement no longer existed.

Every exhibitor certainly knows that using the other person's property without permission is illegal; and when the property used is copyrighted, such as is every film, penalties are attached to unauthorized uses of it.

Unauthorized users of films can no longer excuse themselves on the ground that they are using the film with the knowledge and consent of the film salesmen as a concession either for some losses they had sustained, or for entering into a contract for other film; no salesman has the right to give away property he does not own.

Exhibitors should insist that any concessions the film salesmen make to them be put into the contract.

WHAT THE CONSENT DECREE PROVIDES—No. 8

(Concluded from last week)

Rules of Arbitration and Appeals

An arbitration may be instituted by filing with the Clerk of the appropriate Tribunal a Demand for arbitration and submission, and by paying a filing fee of \$10. Any party who intervenes in an arbitration proceeding must file the submission and pay the fee.

The Demand shall contain the names and addresses of all parties who are either involved directly or whose business or property may be affected by an award in the proceedings and "a brief statement in simple language of the claim and the relief sought."

If the respondent submits the names of other parties who may be affected by the award, they will be given copies of the Demand, and will have the right to intervene in the proceeding.

The Clerk will deliver to each party an identical list of names selected from the Panel of Arbitrators. Each party must, within seven days, return the list indicating thereon his preference of arbitrators; failure to do so will be deemed an approval of all the names on the list.

The Clerk then appoints an arbitrator acceptable to the parties. If no name is acceptable to all the parties, the Administrator will appoint the arbitrator from the remaining members of the Panel.

Instead of following this procedure, the parties may by a written agreement, filed with the Clerk, appoint one or more arbitrators from the Panel.

The hearings, which are to begin as promptly as possible, are to be held in the office of the local Tribunal, unless all the parties and the arbitrator agree upon another place.

Parties may appear either personally or by counsel or other representative, with the right to examine and cross-examine all witnesses, who must testify under oath.

The arbitrator shall have power to require any party to produce such records as the arbitrator may deem necessary to a proper determination of the controversy.

In his award, the arbitrator may assess costs, limited to the filing fee and the arbitrator's fee, against the losing party or apportion them among the parties as he deems proper. Commenting on this provision, Mr. Abram F. Myers says:

"Just what these costs will amount to may be gleaned from the following: The Administrator will fix the arbitrator's fees not to exceed \$50.00 per day or part of day spent in attendance at the hearing. Prior to the commencement of the day's hearing, each party shall deposit with the Clerk a sum equal to the arbitrator's per diem fee.

"The fees will be paid out of the sums so deposited and the remainder will be returned to the parties entitled thereto.

"In a proceeding involving, say, five respondents and intervenors, and in which the arbitrator sat for five days,

the complaining exhibitor might stand to lose \$300.00 in costs in case he did not make good on his claim.

"A distributor by dilatory tactics might conceivably run up such a bill as to compel the exhibitor to withdraw, thus accomplishing a denial of justice.

"An exhibitor ought not to be visited with such a loss in a case initiated in good faith, even though the award goes against him."

Until such time as the Rules are revised to eliminate such a possible result, HARRISON'S REPORTS offers the following suggestion to exhibitors: If you find yourself in an arbitration with a distributor who may use dilatory tactics, you should insist that, each time the distributor asks for a postponement of the hearing, a notation be made in the stenographic record to indicate that you were prepared to proceed with the hearing and that the postponement was caused entirely by the distributor, who should, therefore, be charged with the additional costs thus incurred. Since the arbitrator has the right to apportion the costs, he may impose these additional costs upon the dilatory distributor, regardless of the outcome of the arbitration.

Within 20 days after the filing of an award, any party to the proceeding may appeal therefrom by filing a notice of appeal and paying a fee of \$25.00. The appellant must then file three copies of the stenographic record. Within 40 days after the filing of the notice of appeal, all parties must file their briefs and answering briefs. Oral argument on an appeal, when necessary, will be heard only in New York City.

Each decision of the Appeal Board will be accompanied by a written opinion stating the reasons therefor, thus creating precedents for the guidance of the local Tribunals.

Although some exhibitors are not entirely satisfied with the Arbitration Rules, because they believe that the procedure outlined is too slow and too expensive, this paper cannot agree with them. I have the opinion of several lawyers that the arbitration will be, not only speedier, but also much cheaper, than any court proceeding now available to the exhibitor.

Undoubtedly, after the arbitration machinery has been in operation for a while it will, as will any new machinery, disclose some defects in its structure. Until an actual test has been made, men will differ with one another as to the possibilities of a successful operation. No matter whose view is accepted, it will be at variance with the views of the others. We should, therefore, give the Arbitration Rules a fair trial; they may prove to be a blessing for the industry.

PICTURES NOW IN PRODUCTION

Paramount

"PIRATES ON HORSEBACK," with William Boyd and Russell Hayden. Western.

Universal

"SIX LESSONS FROM MADAME LA ZONGA," with Lupe Velez, Leon Errol, Helen Parrish, and Charles Lang. It should make a fairly good program comedy.

Warner-First National

"STUFF OF HEROES," with Eddie Albert, Joan Leslie, Alan Hale, and John Litel. A mildly pleasant human interest story of a young man whose dreams of sailing the seven seas with a friend are thwarted. It has a romance and some comedy. It should make a fair program picture.

"KNOCKOUT," with Arthur Kennedy, Olympe Bradna, and Virginia Field. Another story of the prizefight profession, with a typical development of a young man who lets success go to his head. He rises, then falls, and finally, after receiving an injury, is reconciled with his wife. Fair program material.

"HERE COMES HAPPINESS," with Mildred Coles and Richard Ainley. A formula plot about the rich girl who rebels at marrying the man she does not love. She goes out into the world, meets a poor but charming young man, and falls in love with him. The poor young man, unaware of the girl's wealthy connections, misunderstands her actions and breaks up the romance. But reconciliation follows and they are married. Neither the story nor the cast warrant more than a program rating.

"SHE STAYED KISSED," with Dennis Morgan, Shirley Ross, Jane Wyatt, Lee Patrick, and Louise Beavers. No facts about the story are available, but the cast is a fairly good one. It should make a pretty good program picture.

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